

JOURNAL OF THE FLORIDA SENATE

Thursday, May 30, 1974

The Senate was called to order by the President at 9:00 a.m.
A quorum present—32:

Mr. President	Gillespie	Lewis	Stolzenburg
Barron	Glisson	McClain	Sykes
Brantley	Gordon	Peterson	Trask
Childers	Gruber	Poston	Ware
Deeb	Henderson	Saylor	Weber
de la Parte	Johnson	Scarborough	Wilson
Firestone	Lane (31st)	Sims	Winn
Gallen	Lane (23rd)	Smathers	Zinkil

Excused: Senators Saunders, Williams, Plante, Myers, Graham, Childers, Lane (31st) and Vogt, periodically, for the purpose of working on the appropriations conference committee report; Senator Peterson at 5:00 p.m.

Prayer by the Senate Chaplain:

Our God, we have scaled the rugged slopes of the legislative process these past weeks. In the task we have given much of ourselves that cannot be reclaimed, but it has been energy willingly spent to create a better Florida.

We remember that even you, our God, needed rest after your creative acts and we, too, already savor the end of our task for this session with all the prospects of personal renewal it will bring.

May our expectancy of rest and change not make us careless in action in these closing hours. We too want to view our finished work and say, "It is good." Amen.

INTRODUCTION

The following measures were read the first time by title and referred to committee(s) as indicated:

By Senators Saylor, Ware and Deeb—

SB 1126—A bill to be entitled An Act annexing to the City of St. Petersburg all lands lying within the following line: from a point of intersection at an east line of the city limit line of the City of St. Petersburg, Pinellas County, Florida being at Second Street North and a north line of said city limit line being at the north right-of-way line of Gandy Boulevard, for a point of beginning, run northeasterly following the north right-of-way line of Gandy Boulevard to a point of intersection on the Pinellas County/Hillsborough County boundary line; thence run southerly along said Pinellas County boundary line to a point of intersection with the south right-of-way line of Gandy Boulevard; thence run south westerly following the south right-of-way line of Gandy Boulevard to a northeast corner of St. Petersburg city limit line lying 175 feet to the east of Second Street North; thence run northerly along said city limit line to the point of beginning.

And Also:

All of that portion of I-275 right-of-way bounded on the south by the north line of said city limit line, and bounded on the north by a due east-west line which intersects the center-line of said I-275 at a point lying 6700 feet northeasterly (being measured along said center-line) from the point of intersection of same with the north right-of-way line of Ulmerton Road; and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1126.

—to Rules and Calendar.

By Senators Saylor and Ware—

SB 1127—A bill to be entitled An act annexing to the City of St. Petersburg all lands lying within the following line: from a point of intersection at a north line of the city limit line of the City of St. Petersburg, Pinellas County, Florida,

being at 94th Avenue North, and an east line of said city limit line being at the north extension of Locust Street NE, for a point of beginning, run generally northerly and westerly, along said city limit line to a point of intersection with the north right-of-way line of Gandy Boulevard; thence run northeasterly 8360 feet thereon to a point; thence run northwesterly along a line at right angles to said north right-of-way line to a point of intersection on a line lying 1000 feet northerly from, and parallel to, the center-line of said Gandy Boulevard; thence run northeasterly thereon to a point of intersection on the Pinellas County/Hillsborough County boundary line; thence run southerly along said Pinellas County boundary line to a point of intersection with the east extension of a north line of said city limit line at 94th Avenue North; thence run west along said east extension to a northeast corner of said city limit line being at the main ship channel of Tampa Bay; thence continue west along said north city limit line to the point of beginning.

And Also:

All of that portion of I-275 right-of-way bounded on the south by the north line of said city limit line, and bounded on the north by a due east-west line which intersects the center-line of said I-275 at a point lying 6700 feet northeasterly (being measured along said center-line) from the point of intersection of same with the north right-of-way line of Ulmerton Road; and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1127.

—to Rules and Calendar.

By Senators Childers and Johnston—

SB 1128—A bill to be entitled An act relating to Escambia County; authorizing \$3,000,000 capital improvement bonds of the County and the pledge for the payment of such bonds and interest thereon of certain revenues accruing to the County by law; validating and confirming all acts and proceedings taken and had by the Board of County Commissioners of the County in connection with the authorization and issuance of such bonds; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1128.

—to Rules and Calendar.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Thursday, May 30, 1974, at 9:00 a.m.:

HB 1542 (CS 1542, 1370)	HB 3499	SB 643
HB 1543	SB 48	HB 2040
HB 1814	SB 659	SB 263
SB 585	HB 4122	SB 462
SB 274	HB 3757	SB 660
CS for HB 4026	HB 3242	HB 2930
SB 658	HB 3948	SB 647

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Rules and Calendar recommends that the following bills be placed on Consent Calendar for Thursday, May 30, 1974, to be heard at 11:00 a.m.:

CS for HB 2799	HB 3738	HB 4017	SB 462
HB 3923	HB 803	HB 1836	HB 3040
HB 3467	HB 4144	HB 3016	HB 608
SB 230	HB 98	SB 833	HB 2751
SB 81	HB 933	SB 630	HB 2684
SB 612	SB 712	SB 263	HB 661
HB 788	HB 3266	SB 281	HB 3839
SB 931	HB 3443	HB 2346	HB 2235
SB 235	HB 4018	HB 1078	HB 1990

HB 3412	HB 895	SB 316	HB 3914
HB 3206	HB 972	SB 929	
SB 618	SB 589	SB 739	
SB 790	SB 900	SB 780	

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Rules and Calendar recommends that the following bills be added to the Consent Calendar for Thursday, May 30, 1974, to be heard at 11:00 a.m.:

HB 2627	HB 3450	HB 3740	HB 3385
HB 3767	HB 3441	HB 3041	HB 2086
HB 4005	CS for HB 2730	HB 3077	HB 732
HB 3136	SB 422	HB 1857	SB 709
HB 3168	SB 360	HB 2739	HB 1982
HB 4175	HB 2496	CS for HB 3732	HB 3378

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Rules and Calendar recommends that the following bills be placed on the Local Calendar for May 30, 1974:

SB 1105	HB 3899	HB 4020	HB 4098
SB 1106	HB 3904	HB 4021	HB 4104
SB 1107	HB 3910	CS for HB 4022	HB 4105
SB 1108	HB 3917	HB 4023	HB 4106
SB 1109	HB 3918	HB 4024	HB 4107
SB 1112	HB 3925	HB 4025	HB 4108
SB 1113	HB 3928	HB 4028	HB 4113
SB 1114	HB 3930	HB 4029	HB 4115
SB 1115	HB 3933	CS for HB 4034	HB 4116
SB 1116	HB 3934	HB 4036	HB 4125
SB 1117	HB 3935	HB 4037	HB 4126
SB 1121	HB 3936	HB 4041	HB 4127
SB 1122	HB 3937	HB 4042	HB 4128
SB 1123	HB 3938	HB 4045	HB 4130
SB 1124	HB 3939	HB 4048	HB 4131
SB 1125	HB 3941	HB 4052	HB 4132
HB 3080	HB 3945	HB 4060	HB 4133
HB 3203	HB 3947	HB 4061	HB 4134
CS for HB 3222	HB 3953	HB 4062	HB 4135
HB 3238	HB 3961	HB 4063	HB 4145
HB 3250	HB 3970	HB 4064	HB 4146
HB 3275	HB 3971	HB 4067	HB 4148
HB 3285	HB 3972	HB 4068	HB 4149
HB 3279	HB 3973	HB 4069	HB 4156
HB 3469	HB 3979	HB 4071	HB 4157
HB 3299	HB 3981	HB 4072	HB 4165
HB 3513	HB 3982	HB 4073	HB 4167
HB 3332	HB 3984	HB 4074	HB 4170
HB 3527	HB 3985	HB 4075	HB 4171
HB 3333	HB 3986	HB 4076	HB 4173
HB 3544	HB 3987	HB 4077	HB 4183
HB 3600	HB 3989	HCR 4082	CS for HB 4138,
HB 3601	HB 3990	HB 4083	with amend-
HB 3602	HB 3998	CS for HB 4084	ments
HB 3888	HB 4001	HB 4085	HB 3900
HB 3889	HB 4007	HB 4087	SB 1126
HB 3890	HB 4008	HB 4097	SB 1127
HB 3891	HB 4009	HB 4095	SB 1128
HB 3892	HB 4019	HB 4096	

The Committee on Ways and Means recommends the following pass:

SB 273	HB 3924
HB 2352	HB 4066
HB 3324	HB 4154 with 1 amendment
HB 3504 with 3 amendments	

The Committee on Ways and Means recommends the following pass: CS for HB 3909 with 3 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Ways and Means recommends a Committee Substitute for the following: CS for SB 807 as recommended by Education Committee

The Committee on Ways and Means recommends a Committee Substitute as recommended by Committee on Criminal Justice:

SB 284 with 7 amendments

The Committee on Ways and Means recommends a Committee Substitute for the following:

SB 977

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 450 with 2 amendments

SB 722 with 3 amendments

—reports that the House amendments have been incorporated and the bills are returned herewith.

JOE BROWN, Secretary

The bills were ordered enrolled.

Your Engrossing Clerk to whom was referred—

SB 277 with 1 Senate amendment, 2 House amendments, and 3 Conference Committee amendments

—reports that the amendments have been incorporated and the bill is returned herewith.

JOE BROWN, Secretary

The bill was ordered enrolled.

Your Engrossing Clerk to whom was referred—

CS for SB 215 with 3 Senate amendments and 2 House amendments

—reports that the Senate and House amendments have been incorporated and the bill is returned herewith.

JOE BROWN, Secretary

The bill was ordered enrolled.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred SB 277 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 30, 1974.

JOE BROWN, Secretary

MOTION RELATING TO COMMITTEE REFERENCE

On motion by Senator Barron, HB 2627 was withdrawn from the Committee on Rules and Calendar by two-thirds vote and placed at the end of the consent calendar.

REQUEST FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 10 days for the consideration of the following:

SB 20 by Senator Zinkil	SB 996 by Senator McClain
SB 893 by Senator Trask	SB 999 by Senator Hender-
SB 894 by Senator Trask	son
SB 911 by Senator Brantley	SB 1033 by Senator Glisson
SB 913 by Senator Peterson	SB 1044 by Senator McClain
SB 923 by Senator Gordon	SB 1052 by Senator Saunders
SB 925 by Senator Williams	SB 1064 by Senator Weber
SB 926 by Senator Scar-	SB 1070 by Senator Gallen
borough	HB 619 by Representative
SB 930 by Senator Wilson	Kutun
SB 936 by Senator Brantley	HB 2481 by Insurance Com-
SB 944 by Senator Childers	mittee
SB 948 by Senator Winn	HB 3901 by General Legisla-
SB 984 by Senator Brantley	tion Committee
SB 985 by Senator Gordon	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President

May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Peterson and others—

SB 86—A bill to be entitled An act relating to occupational license taxes; creating §205.064, Florida Statutes; exempting the selling of certain agricultural and piscicultural products by the grower or producer; providing that wholesale farmers' produce markets may obtain blanket licenses entitling stall tenants to sell agricultural and horticultural products without individual licenses; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment (1)—On page 1, lines 22 & 26, insert, in both lines, before the word "person" the word: natural

On motion by Senator Peterson, the Senate concurred in the House amendment to SB 86.

SB 86 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—28

Mr. President	Glisson	McClain	Sykes
Brantley	Gordon	Peterson	Trask
Childers	Gruber	Sayler	Ware
Deeb	Henderson	Scarborough	Weber
de la Parte	Johnson	Sims	Wilson
Firestone	Lane (23rd)	Smathers	Winn
Gillespie	Lewis	Stolzenburg	Zinkil

Nays—None

By unanimous consent Senators Vogt and Pettigrew were recorded as voting yea.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By the Committee on Education and Senator Lane (31st) and others—

CS for SB 724—A bill to be entitled An act relating to school discipline; providing definitions; providing authority for school discipline; providing grounds and procedures for suspension or assignment to alternative programs; providing procedures for expulsion; providing for records; providing for a code of student rights and obligations; amending section 232.28, Florida Statutes, regarding the authority of bus drivers; repealing sections 232.26(1) and 232.27, Florida Statutes, relating to authority of principals and authority of teachers; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment No. 1—On page 1, line 18, strike everything after the enacting clause and insert:

Section 1. Subsection (2) of section 232.255, Florida Statutes, 1973, is amended to read:

232.255 School safety fund.—

(2) LEGISLATIVE INTENT.—The legislature finds and declares that the maintenance of a safe and orderly learning environment is essential to the educational process and the general welfare of the school population. The legislature also shares the continuing concern of parents and teachers over the threat of serious disruption of the educational process and the attendant possibility of personal harm to both students and faculty, and recognizes as valid the concern of school officials with increasing vandalism to school plants. It is, thus, the intent of the legislature to provide a fund to assist the

local school districts in utilizing their administrative capacity to develop preventative and educationally sound solutions to these problems which will suit their particular needs. It is the further intent of the legislature that this section be liberally construed so as to encourage innovative solutions including *alternative program development and other means* those available through other public and nonpublic agencies.

Section 2. Section 232.26, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section. See §232.26, F.S., 1973, for present text.)

232.26 Authority for school discipline.—

(1) DEFINITIONS.—

(a) "Suspension" is the temporary removal of the student from the regular school program for purposes of placement first into an alternative program.

(b) "Expulsion" is the removal of the right and obligation of a student to attend a public school.

(c) "Alternative programs" are those programs designed to provide temporary placement within the schools or an alternate center for those students involved in behavior that would normally result in out of school suspension. The term alternative program shall include, but not be limited to, those programs that provide individualized academic, tutorial, and prevocational programs leading to the academic and behavioral adjustment of the participants in order that they may return to the regular school program. The alternate school program should include:

1. Faculty involvement in the design of the program;
2. Criteria for staffing selection and in-service training;
3. Provisions for an annual report containing census data and an evaluation of the program.

(2) AUTHORITY TO DISCIPLINE.—

(a) Subject to rules and regulations of the state board of education and the district school board, the principal or teacher in charge of a school shall have the authority to determine who is permitted on the school grounds, to supervise the activities of students and school personnel while under the authority of the school, and to promulgate and enforce such standards of behavior as are necessary for the effective functioning of the school.

(b) The principal may delegate specific responsibility for school discipline to other school personnel. Each public school teacher shall assume such responsibility for supervision as is assigned.

(c) No cruel or unusual punishment shall be permitted. Corporal punishment may be used only by the school principal or his designee.

(3) GROUNDS AND PROCEDURES FOR SUSPENSION.—

(a) A principal may suspend a pupil after consultation with other school personnel and parents while the pupil is under the authority of the school for the use of abusive or threatening language, for physically endangering other students or school personnel, for continuous disruption of classroom activities, for truancy, petty theft, or vandalism.

(b) A student may be suspended first into an alternative program or alternate center, but when deemed necessary later, the action may result in an out-of-school suspension, not to exceed ten (10) days, or the student may be suspended into the custody of appropriate juvenile and court authorities.

(c) The parents of a suspended student shall be notified in writing of such suspension and assignment to an alternative program.

(d) Each suspended student shall receive any available services designed to determine the reasons for the student's behavior and receive those counseling and guidance services which will promote better relations between the school, the home, and the student.

(e) After the initial period of suspension, the principal may:

1. Reassign the student to the regular school program in the same school;

2. Reassign the student to an alternative program or alternate center in that school;

3. When deemed appropriate, invoke an out-of-school suspension for the student not to exceed ten (10) days.

(4) PROCEDURES FOR EXPULSION.—

(a) Students who physically endanger other students or school personnel, or who are convicted of felonies under state law while under the control of the school or for such other explicit grounds as have been provided in regulations of the state board of education, may be expelled by action of the school board. Before such expulsion, the student and his parents or guardian must be provided a written statement of charges, at which time he shall be informed of his right to have a hearing before the school board or a hearing examiner appointed by the board, provided that the student shall have the right to appeal the examiner's decision to the school board.

(b) The student shall have the right to inspect any documents to be used at the hearing, to, at his discretion and expense, to present a full defense including witnesses, to hear the evidence against him and to question witnesses.

(c) There shall be presented to the school board written findings of facts presented at the hearing. Either the school board or the student and his parents or guardian may request a record of the hearing.

(5) PUPILS CHARGED WITH CRIMES.—Any pupil enrolled as a student who is formally charged with a felony by a proper prosecuting attorney for the unlawful possession or sale of any substance controlled under chapter 893 shall, following an administrative hearing upon notice to the parents or parent or guardian of said pupil provided by the principal of the school pursuant to rules promulgated by the state board of education, if such suspension is recommended, be suspended from all classes of instruction until the determination of his guilt by a court of competent jurisdiction. If found guilty of a felony by the court or jury upon trial or plea, the pupil shall be automatically expelled. Any pupil subject to discipline or expulsion for unlawful possession or use of any substance controlled under chapter 893 may be entitled to a waiver of the discipline or expulsion if he divulges information leading to the arrest and conviction of the person who supplied such controlled substance to him, or if he voluntarily discloses his unlawful possession of such controlled substance prior to his arrest. Any information divulged which leads to such arrest and conviction shall not be admissible in evidence in a subsequent criminal trial against the pupil divulging such information.

(6) DRUG ABUSE.—Any pupil subject to discipline or expulsion for unlawful possession or use of any controlled substance as identified and defined in chapter 893 may receive a waiver of the discipline or expulsion if the pupil commits himself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

(7) RECORDS.—The principal of each school shall report to the superintendent the following: suspensions and expulsions, including the grounds for such suspension or expulsion, the action taken including the administration of corporal punishment and the results of such action. The principal shall include all such data in the annual report of school progress.

Section 3. Section 232.46, Florida Statutes, is created to read:

232.46 Code of student rights and obligations.—Each public secondary school, middle school, and junior high school principal shall distribute to each student annually a code of student rights and obligations which shall be developed by the school's personnel, students, parents and the school advisory council where existing. Such a code shall include, but not be limited to, rights and obligations regarding speech and publications, assembly, privacy, and participation in school programs and activities.

Section 4. Section 232.27, Florida Statutes, 1973, is hereby repealed.

Section 5. This act shall take effect July 1, 1974.

On motion by Senator Peterson, the Senate refused to concur in the House amendment to CS for SB 724, and requested that a conference committee be appointed.

The Honorable Mallory E. Horne, President

May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senators Trask and Wilson—

SB 395—A bill to be entitled An act relating to sales and use taxes; amending §212.08(7)(h), Florida Statutes; providing new procedures for tax exemptions on sales and rentals of guide dogs for the blind and supplies for such dogs; repealing §212.083, Florida Statutes, which requires payment of such taxes and application for refund; providing a saving clause; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment (1)—On page 2, line 11, strike Section 4. This act shall take effect October 1, 1974, and insert the following: Section 4. Subsection (4) of section 212.03, Florida Statutes, is amended to read:

212.03 Transient rentals tax; rate, procedure, enforcement, etc.—

(4)(a) The tax levied by this section shall not apply to, be imposed upon, or collected from any person who shall reside continuously longer than *one hundred and twenty (120) days* ~~twelve months~~ at any one hotel, apartment house, rooming house, tourist or trailer camp, and shall have paid the tax levied by this section for *one hundred and twenty (120) days* ~~twelve months~~ of residence in any one hotel, rooming house, apartment house, tourist or trailer camp. Notwithstanding other provisions of this chapter, no tax shall be imposed upon rooms provided guests when there is no consideration involved between guest and the public lodging establishment. *However, any person who has resided continuously longer than one hundred and twenty (120) days at any one (1) hotel, rooming house, tourist or trailer camp on the effective date of this act shall be exempt, so long as he shall continuously reside at such location. The department shall have the power to reform the rental contract if the rental payments are collected in other than equal daily, weekly or monthly amounts so as to reflect the actual consideration to be paid in the future for the right of occupancy during the first one hundred and twenty (120) days.*

(b) *A person who has qualified as a permanent resident loses his individual exemption when he moves. If he subsequently returns to a taxable location, tax must again be paid on the rental thereof for one hundred twenty (120) days.*

Section 5. Section 1 of chapter 71-986, Laws of Florida, appearing as subsection (7) of section 212.03, Florida Statutes, is repealed.

Section 6. Sections 1, 2, and 3 of this act shall take effect October 1, 1974 and Sections 4 and 5 shall take effect January 1, 1975.

On motion by Senator Trask, the Senate concurred in the House amendment to SB 395.

SB 395 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—28

Mr. President	Gordon	Peterson	Sykes
Barron	Gruber	Poston	Trask
Brantley	Henderson	Sayler	Ware
Deeb	Johnson	Scarborough	Weber
Firestone	Lane (23rd)	Sims	Wilson
Gillespie	Lewis	Smathers	Winn
Glisson	McClain	Stolzenburg	Zinkil

Nays—None

By unanimous consent Senators Childers, Vogt and Pettigrew were recorded as voting yea.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Education—

CS for SB 96—A bill to be entitled An act relating to schools; amending §232.01 (d), (e), (g), (h), Florida Statutes; establishing conditions relating to the entry age for first grade; providing for entry at any time during the school year; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert: Section 1. Legislative intent.—It is the intent of the legislature to recognize the need for the comprehensive evaluation and restructuring of early childhood education in Florida to more fully meet the unique needs, talents, interests, and abilities of each pupil. It is the further intent of the legislature that the districts develop plans for early childhood education with the participation of parents, educators, and other community residents. The legislature declares that the early years of a child's education shall be recognized as crucial to his future success, and that it shall be the continuing concern of the educational system that each pupil shall have obtained a level of competency in the basic skills sufficient to continue future educational success by the time he leaves the early childhood program or its equivalent.

Section 2. Master plan.—

(1) The comprehensive educational plan of each school district, section 236.02(7), Florida Statutes, for the 1976-77 school year shall include a plan for early childhood education programs. In developing the plan, the school board shall seek direct community, parent, teacher and school administration involvement in all phases of the planning and development of the plan prior to approval.

(2) The objectives of the early childhood program shall include assurance that each pupil shall have an individually appropriate program to permit the development of his maximum potential and that each pupil who has completed the early childhood program of the state's educational system shall have achieved a level of competence in the basic skills of reading, language, and mathematics sufficient to continue his success in educational experiences and show progress in accordance with his potential.

(3) The early childhood component of the comprehensive plan may include, but need not be limited to, provision for:

(a) Fulfillment of the goals for education in Florida as adopted by the state board of education.

(b) Emphasis on an individualized diagnostic approach to instruction.

(c) Emphasis on the emotional and social development of each child, with special attention given to the development of each child's positive self concept.

(d) Defined measurable program objectives.

(e) Assessment of educational needs.

(f) Demographic data showing an awareness of the content of educational programs and a record, if obtainable, of programs for children 4 years of age and younger, including children's centers, day care, pre-school and child care programs provided through the public or private sector and the ways in which such programs may be integrated with the district's plan.

(g) Strategy for the restructuring of the early childhood program (namely nursery and kindergarten through third grade) when necessary to accomplish the purposes of this act.

(h) Strategy for integrating early childhood education programs with the rest of the school and district programs.

(i) Strategy for systematically phasing all the schools of the district into the program within three (3) years of the adoption of the master plan.

(j) Strategy for allocating and coordinating all district resources with the objectives of the plan.

(k) Strategy for direct involvement of parents in the classroom program and program evaluation.

(l) Strategy for providing comprehensive parent education in the development of young children designed to strengthen the role of the family and the cooperative relationship between the family and the school.

(m) Strategy for providing staff development and inservice training.

(n) Evaluation of the program by the school board with the assistance of the administrators, teachers, and parents.

Section 3. Paragraphs (d), (e), (g), and (h) of subsection (1) of Section 232.01, Florida Statutes, are amended to read:

232.01 Regular school attendance required between ages of seven and sixteen; permitted at age of six; exceptions.—

(1)(d) Any child who has attained the age of six years on or before January 1 of the school year of any school having annual promotions shall be admitted to the first grade at the beginning of that school year or at any time during the first month of the school year to the first grade. If any child is not so enrolled in the first grade during the first month of the school year, he shall not be admitted to the first grade until the beginning of the following school year. However, such child may enroll after the first month of school when:

1. The failure to enroll resulted directly from illness of the child as certified by a licensed physician.

2. The parents or guardians of the child have become Florida residents.

3. The parents or guardians of the child are agricultural migratory workers.

(e) Any pupil child who has attained the age of five years and eleven months on or before the opening day of any semester of a school having semiannual promotions shall be admitted at the beginning or at any time during the first two weeks of the said semester.

(g) Any child who will attain the age of six years subsequent to January 1 and during the school fiscal year of any school having annual promotions shall may be admitted at the beginning of that school year or at any time during the first month of the school year to the first grade, provided the child has attended kindergarten and can successfully complete a readiness test approved by the state board of education, demonstrated a readiness to enter the first grade in accordance with uniform criteria as established by the state board of education.

(h) Any child who will attain the age of five years and six months on or before the opening day of any semester of a school having semiannual promotions may be admitted at the beginning, or at any time during the first two weeks, of the said semester, provided the child has attended kindergarten and can successfully complete a readiness test approved demonstrated a readiness to enter the first grade in accordance with uniform criteria as established by the state board of education.

Section 4. Duties of department of education.—

The department of education shall use the year 1974-75 for planning for the provision of such technical assistance as the districts may request. In assisting the districts, special emphasis shall be given to the following:

(a) Assembling, developing, and distributing materials on alternate elementary education programs and their implementation.

(b) Conducting state and regional conferences and workshops on the evaluation and restructuring of elementary education programs.

(c) Developing programs for inservice and preservice teacher, para-professional, administrator parent training, in early childhood and elementary education programs.

Section 5. Effective date.—This bill shall take effect July 1, 1974.

Amendment 2—On page 1, strike the title and insert: A bill to be entitled An act relating to education; amending section 232.01(d), (e), (g) and (h), Florida Statutes, 1973, providing legislative intent; providing for a plan; providing for the establishment of rules and regulations relating thereto; providing for admission standards; providing an effective date.

On motions by Senator Gordon, the Senate concurred in House amendments 1 and 2 to CS for SB 96.

CS for SB 96 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—30

Mr. President	Gordon	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Deeb	Henderson	Poston	Ware
de la Parte	Johnson	Saylor	Weber
Firestone	Johnston	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	
Glisson	McClain	Stolzenburg	

Nays—None

By unanimous consent Senators Childers and Vogt were recorded as voting yea.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 and 17; has refused to concur in Senate Amendment 14 and requests the Senate to recede, has amended Senate Amendment 15, concurred in same as amended and passed CS for CS for HB 3096, as further amended—

By the Committee on Appropriations and Representatives Papy and Tucker—

CS for CS for HB 3096—A bill to be entitled An act relating to workmen's compensation; amending §440.02(1)(c), (2), (13), (15) and (16), Florida Statutes, 1973, relating to definitions; extending coverage to certain agricultural employees and personnel associated with athletic events; providing that the words "child," "grandchild," "brother," and "sister" include certain persons up to twenty-two (22) years of age; adding a subsection (3) to §440.04, Florida Statutes, 1973, allowing an officer of a corporation who has elected exemption from the workmen's compensation act to revoke such exemption; amending §440.05, Florida Statutes, 1973, requiring corporate officers electing an exemption or revoking an exemption from the chapter to give notice to the division of labor of the department of commerce; creating §440.075, Florida Statutes, providing for application of common law in suits involving exempt corporate officers; amending §440.09(1) and (2), Florida Statutes, 1973, relating to the payment of workmen's compensation for accidents which occur elsewhere than in this state; providing that compensation will not be paid when the employee is already covered by certain federal compensation acts; amending §440.10(1), Florida Statutes, 1973, providing that a subcontractor is not responsible for payment of compensation to employees of another subcontractor; providing that the liability provisions of §440.11, Florida Statutes, do not protect a subcontractor other than the employer of an injured employee; amending §440.12(2) and (3), Florida Statutes, 1973, providing a formula for relating maximum compensation rate to a state average weekly wage; amending present subsection (3) and adding a new subsection (3) to §440.14, Florida Statutes, 1973, providing alternative method of computation of compensation for seasonal workers; amending §440.15(1) and (2), Florida Statutes, 1973, increasing compensation for certain employees; providing additional temporary total disability compensation for certain serious injuries; amending §440.151(1)(a) and (2), Florida Statutes, 1973, expanding the type of diseases covered by the act; amending §440.16(2), Florida Statutes, 1973, increasing

dollar limit on compensation for a death; reducing compensation to surviving spouse without children; providing coverage for surviving children where surviving spouse dies or remarries; increasing compensation to children when there is no widow or widower; adding subsection (5) to §440.18, Florida Statutes, 1973, requiring certain employers to give notification to their insurance carriers in case of accident; providing a civil penalty; amending §440.20(5), Florida Statutes, 1973, providing that the ten percent penalty for late payments may be assessed against the insurer or employer; amending §440.24(4), Florida Statutes, 1973, permitting judges of industrial claims to dismiss certain claims or payments for noncompliance; amending §440.25(3)(a), Florida Statutes, 1973, permitting employers to require reasonable medical examinations of employees; providing for free copies of certain medical reports to an employee or his attorney; adding subsection (3) to §440.29, Florida Statutes, 1973, providing rules of procedure for judges of industrial claims and the industrial relations commission; amending §440.30, Florida Statutes, 1973, providing for deposition of parties and payment of fees; amending §440.39(3)(a), Florida Statutes, 1973, providing for recovery for the employer and the insurance carrier from a judgment obtained by an employee against a third party in certain cases; amending §440.44(8), Florida Statutes, 1973, relating to the designation of an advisory council to aid the division; amending §440.45(1), (2) and (3), Florida Statutes, 1973, removing restriction on the number of judges of industrial claims and providing at least one (1) judge for each judicial circuit in the state; providing for review of judges by the judicial nominating commission; providing for report of a vacancy to the division; increasing the salary of each full-time industrial claims judge; amending §440.49(4) (b), (c), (d), (e), (f), and (g), Florida Statutes, 1973, defining "permanent physical impairment," "merger," and "excess permanent compensation"; providing for reimbursement from the special disability trust fund in permanent disability cases; providing for reimbursement in death cases; providing for reimbursement of certain temporary disability compensation and medical benefits; requiring a minimum reimbursement of three thousand dollars (\$3,000) and employer's prior knowledge of the employee's preexisting physical condition; providing for apportionment credit; establishing a procedure for filing and determining a claim for reimbursement; amending §440.50(1)(a), Florida Statutes, 1973, providing for payments under §440.15(1)(e), Florida Statutes, from the workmen's compensation administration trust fund; amending §440.51(1)(b), Florida Statutes, 1973, allowing insurance companies to elect to make payments under §440.15(1)(e), Florida Statutes; repealing §440.151(6), Florida Statutes, 1973, relating to disability from certain dust diseases; providing an effective date.

and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 14—On page 18, lines 8—11 strike All medical reports obtained by the carrier or employer under this section shall be furnished free of charge to the employee or his attorney on demand.

Senate Amendment 15—On page 17, line 29, strike "of his choice" and insert: "of the employers choice"

House Amendment to Senate Amendment 15—Strike all of the amendment after the words "On page 17" and insert: Strike all of line 27 after "(3)(a)" and all of lines 28 and 29 and on page 18, line 1, strike "reasonable intervals."

On motions by Senator Scarborough, the Senate receded from Senate Amendment 14, and concurred in the House Amendment to Senate Amendment 15 to CS for CS for HB 3096.

CS for CS for HB 3096 passed as further amended and was certified to the House. The vote was:

Yeas—21

Mr. President	Gruber	McClain	Ware
Brantley	Henderson	Peterson	Winn
de la Parte	Johnson	Poston	Zinkl
Firestone	Johnston	Scarborough	
Gallen	Lane (23rd)	Smathers	
Gillespie	Lewis	Sykes	

Nays—2

Sims	Stolzenburg
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By unanimous consent Senators Childers and Pettigrew were recorded as voting yea.

The Honorable Mallory E. Horne, President

May 29, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 and requests the Senate to recede.

By Representative Shreve and others—

HB 2922—A bill to be entitled An act relating to driving while under the influence; amending §316.028, Florida Statutes, 1973, to provide penalties for driving with an unlawful blood alcohol level; adding a new paragraph (b) to §322.261(1), Florida Statutes, 1973, and redesignating subsequent paragraphs accordingly, to provide for prearrest breath test; amending §322.262(2), Florida Statutes, 1973, to provide for unlawful driving with certain blood alcohol percentages, prohibiting trial judge accepting lesser plea if blood alcohol level exceeds certain level; to correct the reference to the measure of weight of alcohol in the blood; amending §322.264(1)(b), Florida Statutes, 1973, to include unlawful blood alcohol level in the definition of habitual traffic offender; amending §322.28(2), Florida Statutes, 1973, to include unlawful blood alcohol level, to change time period for computing subsequent conviction penalties, to change the period within which a bail bond may be vacated; creating §322.281 and §322.282, Florida Statutes, to provide for mandatory adjudication and the procedures when a license is reinstated and restricted; providing an effective date.

Allen Morris, Clerk

Amendment 1—Strike everything after the enacting clause and insert: Section 1. Chapter 318, Florida Statutes, is created to read:

318.11 Short title.—This act may be known and cited as the "Florida uniform disposition of traffic infractions act".

318.12 Purpose.—It is the legislative intent in the adoption of this act to decriminalize certain violations of chapter 316, the Florida uniform traffic control law; chapter 325, part II, safety equipment inspection of motor vehicles; chapter 339, Florida highway code, sixth part; chapter 239, universities; and chapter 340, turnpike projects; thereby facilitating the implementation of a more uniform and expeditious system for the disposition of traffic infractions.

318.13 Definitions.—The following words and phrases, when used in this chapter shall for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(1) **DEPARTMENT.**—Any reference herein to department shall be construed as referring to the department of highway safety and motor vehicles, defined in section 20.24, or the appropriate division thereof.

(2) **SUSPENSION.**—A licensee's privilege to drive a motor vehicle is temporarily withdrawn.

(3) **INFRACTION.**—A noncriminal violation which is not punishable by incarceration for which there is no right to trial by jury or a right to court appointed counsel.

(4) **OFFICIAL.**—Any state or municipal judge authorized by law to preside over a court or hearing adjudicating traffic infractions.

(5) **OFFICER.**—Any law enforcement officer charged with and acting under his authority to arrest persons suspected or known to be violating statutes or ordinances regulating the operation or equipment of vehicles, or the regulation of traffic.

318.14 Noncriminal traffic infractions; exception; procedures.—

(1) Except as provided in section 318.17, any person cited for a violation of chapter 316 or chapter 325, part II, or section 339.30 or section 340.23 or section 239.55 shall be deemed to be charged with a noncriminal infraction and shall be cited for such an infraction and cited to appear before an official.

(2) Any person cited for an infraction under this section may post a bond which shall be equal in amount to the appli-

cable civil penalty established in section 318.8 or sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing, and shall indicate the applicable civil penalty established in section 318.18.

(3) Any person who willfully refuses to post a bond or accept and sign a summons shall be guilty of a misdemeanor of the second degree.

(4) Any person charged with a noncriminal infraction under this section may pay the civil penalty within ten days of the date of receiving the citation either by mail or in person, or if he has posted bond, he may forfeit bond by not appearing at the designated time and location. If the person cited follows either of the above procedures, he shall be deemed to have admitted the infraction and to have waived his right to a hearing on the issue of commission of the infraction. Such admission shall not be used as evidence in any other proceedings.

(5) Any person electing to appear before the designated official or who is required to so appear shall be deemed to have waived his right to the civil penalty provisions of section 318.18. The official after a hearing shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proven, the official may impose a civil penalty not to exceed \$500 or require attendance at a driver improvement school or both.

(6) The official having jurisdiction over the infraction shall certify to the department within ten days after payment of the civil penalty or forfeiture of bond that the defendant has admitted to the infraction. If the charge results in a hearing, the official having jurisdiction shall certify to the department the final disposition within ten days of the hearing.

(7) When the report of a determination or admission of an infraction is received by the department, the department shall proceed to enter the proper number of points on the licensee's driving record in accordance with section 322.27, Florida Statutes.

318.15 Failure to comply with the civil penalty; to appear; to post bond; penalty.—If a person fails to post bond and fails to appear at the hearing without having paid the civil penalty, or attend driver improvement school if imposed, or fails to pay the civil penalty imposed, his driver's license and privilege shall be deemed suspended. Said suspension shall be effective on the date the person fails to appear at the hearing as set forth above or fails to comply with the civil penalty imposed.

318.16 Appeals; stay orders; procedures.—

(1) If a person is found to have committed an infraction by the hearing official, he may appeal that finding to the circuit court. An appeal under this subsection shall not operate to stay the reporting requirements of section 318.14(7) nor to stay appropriate action by the department upon receipt of that report.

(2) The circuit court upon application by the appellant may:

(a) Order a stay of any action by the department during pendency of the appeal, but not to exceed a period of sixty days. A copy of the order shall be forwarded to the department.

(b) Deny the application.

318.17 Offenses excepted.—No provisions of this chapter shall be available to persons charged with the following offenses;

(a) Fleeing or attempting to elude a police officer in violation of section 316.019, Florida Statutes.

(b) Leaving the scene of an accident in violation of section 316.027 and 316.061, Florida Statutes.

(c) Driving or being in actual physical control of any vehicle while under the influence of alcoholic beverages, model glue, or any substance controlled under chapter 893, in violation of section 316.028 or section 860.01, Florida Statutes.

(d) Reckless driving in violation of section 316.029, Florida Statutes.

(e) Making false accident reports in violation of section 316.067.

318.18 Amount of civil penalties.—The penalties required for a noncriminal disposition pursuant to section 318.14(1), (2) and (4) shall be as follows:

(1) Five dollars for all infractions of bicycle regulations, section 316.11, and infractions of pedestrian regulations, section 316.057.

(2) Fifteen dollars for all non-moving traffic violations.

(3) Twenty-five dollars for all moving violations not requiring a mandatory appearance.

(4) The penalty imposed under section 316.200 shall be determined by the officer in accordance with the provisions of section 316.199 and 316.200.

318.19 Infractions requiring a mandatory hearing.—Any person cited for the infractions listed in this section shall not have the provisions of section 318.14(2) and (4) available to him and must appear before the designated official at the time and location of the scheduled hearing.

(1) Any infraction which results in an accident that caused the death or personal injury of another or property damage in excess of two hundred fifty dollars.

(2) Any infraction which would if the person is convicted result in the suspension or revocation of his driver's license or privilege under sections 322.26 and 322.27.

(3) Speeding in excess of 25 miles per hour over the lawful speed limit.

318.20 Notification; duties of department.—The department shall prepare a notification form to be appended to or incorporated as a part of the Florida uniform traffic citation issued in accordance with section 316.018. The notification form shall contain language informing persons charged with infractions to which this chapter applies of the procedures available to them under this chapter. Such notification shall contain a schedule of points to be assessed against a person's driving record in accordance with section 322.27, Florida Statutes, and a schedule of civil penalties applicable to infractions under this chapter, in accordance with section 318.18.

Section 2. Section 316.026, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 316.026, Florida Statutes, 1971, for present text.)

316.026. Penalties.—

(1) A violation of any of the provisions of this chapter except criminal offenses enumerated in subsection (4) of this section shall be deemed to be infractions as defined in section 318.13(3).

(2) Infractions of this chapter which do not result in a hearing shall be subject to the civil penalties provided in section 318.18.

(3) Infractions of this chapter which do result in a hearing shall be subject to a civil penalty not to exceed five hundred dollars. For an infraction resulting in a hearing a person may be required to attend a driver improvement school in lieu of or in addition to the civil penalty imposed.

(4) Any person convicted of a violation of sections 316.019, 316.027, 316.028, 316.029, 316.061 and 316.067, Florida Statutes, shall be punished as specifically provided in such sections.

Section 3. Section 316.061, Florida Statutes, is amended to read:

316.061 Accidents involving damage to vehicle or property.—

The driver of any vehicle involved in an accident resulting only in damage to a vehicle or other property which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, and shall forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of section 316.062. Every stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements shall, upon conviction, be punish-

ed as provided in section 316.026, by a fine of not more than five hundred dollars or by imprisonment for not more than sixty days or by both such fine and imprisonment.

Section 4. Section 316.067, Florida Statutes, is amended to read:

316.067 False reports.—

Any person who gives information in oral or written reports as required in this chapter knowing or having reason to believe that such information is false shall be punished as provided in section 316.026, by a fine of not more than five hundred dollars or by imprisonment for not more than sixty days or both such fine and imprisonment.

Section 5. Section 316.112, Florida Statutes, is amended to read:

316.112 Penalties for violation of bicycle regulations.—

Any person not a juvenile, as such is defined by the laws of this state, found guilty of a violation of any provisions found in section 316.111 shall be punished by a fine of not more than \$25 civil penalty in accordance with section 318.18 or by impounding of such person's bicycle for a period not to exceed 90 days. Upon the recommendation of a judge of a juvenile court or a competent court having jurisdiction over the person of a minor, the state, county, or municipal authority may impound such minor's bicycle for such period as the court may determine.

Section 6. Section 316.164, Florida Statutes, is amended to read:

316.164 Parking near rural mailbox during certain hours; penalties.—

Whoever parks any vehicle within thirty feet of any rural mailbox upon any state highway in this state between 8 a.m. and 3 p.m. shall be punished by a fine of not more than \$20 or by imprisonment not exceeding thirty days, as provided in section 316.026.

Section 7. Subsection (3) of section 339.30, Florida Statutes, is amended to read:

339.30 Unlawful use of limited access facilities; penalties.—

(3) Any person who violates any of the provisions of this section is guilty of a misdemeanor of the second degree, punishable as provided in sections 775.082 or 775.083, shall be punished in accordance with section 316.026.

Section 8. Subsection (1) of section 340.23, Florida Statutes, is amended to read:

340.23 Traffic control.—

(1) The department is hereby authorized to adopt and promulgate rules and regulations with respect to the use of a project, which rules and regulations shall relate to vehicular speeds, loads and sizes, safety devices, rules of the road and such other matters, including but not limited to the failure or refusal to pay the toll provided for the use of a project, as may be necessary and proper to regulate traffic in the interest of safety, the maximum convenience of the persons using the project, preservation of a project from unwarranted damage and to carry out the purpose of this chapter. Such rules and regulations, shall apply according to their terms to all sections of a project under the jurisdiction of the department, their feeder roads and structures and other appurtenances. Insofar as such rules and regulations may be inconsistent with the provisions of the vehicle and traffic laws of this state, such rules and regulations shall be controlling. Violation of such rules and regulations shall constitute a misdemeanor of the second degree, punishable as provided in sections 775.082 or 775.083, be punished in accordance with section 316.026. Such rules and regulations shall not take effect until published in a newspaper of general circulation published in Dade County, and such other publications as the department may determine, and duly filed in the department of state.

Section 9. Section 239.55, Florida Statutes, is amended to read:

239.55 Violations; penalties.—

Any person who violates any of said rules or regulations or applicable municipal ordinances, or who fails or refuses to obey the direction or order of any law enforcement officer directing or regulating traffic on the grounds of an institution

of higher learning, shall be ~~guilty of a misdemeanor and, upon conviction, be punished by the same fines and penalties as may be provided and limited by the charter of the adjacent municipality for punishment of offenses against its laws and ordinances, punished in accordance with section 316.026.~~

Section 10. This act shall take effect January 1, 1975.

Amendment 2—On page 1, in the title, strike all of lines 4 through 27 and insert: An act relating to the adjudication of traffic infractions; creating chapter 318, Florida Statutes, to be known as the "Florida uniform disposition of traffic infractions act"; providing definitions; providing for decriminalization of certain traffic violations; establishing procedures for adjudication of traffic infractions; establishing standard statewide civil penalties for infractions; providing for mandatory hearings for certain infractions; establishing notification duties of the department; amending section 316.026, 316.061, 316.067, 316.112, 316.164, 339.30, 340.23 and 239.55, Florida Statutes; providing for penalty provisions consistent with this act; creating 322.281, Florida Statutes, to provide for mandatory adjudication in cases of driving under the influence of alcoholic beverages, model glue, or other controlled substances; providing an effective date.

On motions by Senator Poston the Senate refused to recede from Senate Amendments 1 and 2 to HB 2922 and requested that a conference committee be appointed. The President appointed Senators Poston, Trask and Ware as conferees on the part of the Senate.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Education—

CS for SB 77—A bill to be entitled An act relating to public schools; providing for a program on school instruction in consumer education; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 2—On page 2, lines 10 and 11, strike "the completion of which shall be a prerequisite to high school graduation after May 1, 1976," and insert the following: "in which each student shall participate."

Amendment 3—On page 3, lines 11—13, strike consumer education program and criteria for approval of proposed program or projects. and insert the following: free enterprise and consumer program, together with a recommended method of evaluating student understanding of the program.

On motions by Senator Weber, the Senate concurred in House amendments 2 and 3 to CS for SB 77.

CS for SB 77 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

Mr. President	Glisson	McClain	Sykes
Brantley	Gordon	Peterson	Trask
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Poston	Weber
de la Parte	Johnson	Saylor	Wilson
Firestone	Johnston	Scarborough	Winn
Gallen	Lane (23rd)	Smathers	Zinkil
Gillespie	Lewis	Stolzenburg	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 671

CS for HB 3206

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representatives Birchfield and Hair—

CS for HB 671—A bill to be entitled An act relating to domestic relations, husband and wife; amending §§741.01, 741.02, 741.03, 741.04, 741.05, 741.051, 741.053, 741.057, 741.058, 741.0591, 741.0592, 741.07, 741.08, 741.09, 741.10, and 382.24, Florida Statutes, 1973, relating to the issuance of marriage licenses, to fees, records, and penalties related thereto, and to persons authorized to solemnize matrimony; authorizing clerks of the circuit courts to issue marriage licenses and perform marriages; increasing the fee for receiving an application for issuance of a marriage license; providing for the transmission of the additional fee authorized by §741.02, Florida Statutes, to the bureau of vital statistics; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

By the Committee on Health & Rehabilitative Services and Representative McPherson—

CS for HB 3206—A bill to be entitled An act relating to the creation and establishment of health facilities authorities; providing definitions; providing for appointment of members; providing purposes and powers of authorities; providing for the financing and construction of health facilities; providing for the issuance of bonds and remedies of bondholders; providing for the conveyance of such health facilities; providing an effective date.

—was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended by the required constitutional 3/5 vote of the membership of the House CS for HJR 3522 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representative Dixon and others—

CS for HJR 3522—A joint resolution proposing an amendment to Section 9 of Article XII of the State Constitution relating to bonds for transportation facilities.

—was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 3704

HB 2889

HB 3808

HB 3819

HB 3751

HB 4124

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Conway—

HB 3704—A bill to be entitled An act relating to education; amending §231.30(2)(a), Florida Statutes, altering the formula for distribution of teacher certificate fees; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Representatives Lewis and Libertore—

HB 2889—A bill to be entitled An act relating to the real estate license law; amending subsection 475.17(1), Florida Statutes, 1971, so as to adjust the age requirement and eliminate the specific requirement that an applicant for registration as an active broker show citizenship and bona fide residence in the State of Florida for one year; providing an effective date.

—was read the first time by title and placed on the Calendar.

By Representative Gautier—

HB 3808—A bill to be entitled An act relating to the duties of securities investigators; creating §517.045, Florida Statutes; granting securities investigators authority to arrest, serve search warrants and carry weapons; requiring securities investigators to file a \$1,000 bond; and providing an effective date.

—was read the first time by title and referred to the Committee on Criminal Justice.

By Representative Harris—

HB 3819—A bill to be entitled An act relating to the municipal firemen's pension trust fund; amending section 175.121, Florida Statutes; providing that funds received under this chapter be deposited in the insurance commissioner's regulatory trust fund for distribution; providing an effective date.

—was read the first time by title and placed on the calendar.

By Representative Harris—

HB 3751—A bill to be entitled An act relating to the division of building construction and maintenance of the department of general services; amending section 255.25, Florida Statutes, to provide for powers, duties, and responsibilities relating to property management; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By the Committee on Appropriations—

HB 4124—A bill to be entitled An act relating to capital outlay appropriations for building construction; providing legislative intent; providing for submission of program plans; providing for funding of program plans; providing for the state university system funding of preliminary plans; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed—

HB 1280 **HB 3403** **CS for HB 2874**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fortune and others—

HB 1280—A bill to be entitled An act relating to conservation of oil and gas resources; amending §377.28, Florida Statutes, 1971; providing for the unitization and pooling of oil and gas fields after hearing and by order of the department of natural resources; providing definitions; providing for adjustment of cost among property owners; providing for ratification by the owners; providing an effective date.

—was read the first time by title and placed on the calendar.

By Representative Hair—

HB 3403—A bill to be entitled An act relating to education; amending §239.671, 239.70, 239.705, 239.715, 239.72, and 239.725, Florida Statutes, 1973, relating to the student loan trust fund; creating a supplemental student loan trust fund; authorizing

the issuance of no more than twenty million dollars (\$20,000,000) in revenue bonds to finance the establishment of the supplemental student loan trust fund; providing eligibility requirements for loans; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Health & Rehabilitative Services and Representative Clem—

CS for HB 2874—A bill to be entitled An act relating to emergency medical care; amending Chapter 401.34, Florida Statutes, providing for payment schedule for certification of voluntary ambulance squad members; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed—

HB 3772 **HB 3371** **HB 3170**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Harris—

HB 3772—A bill to be entitled An act providing for establishment of a system of rental charges for space occupied by state agencies and other occupants in state owned office buildings; providing for the assessment of such costs and for the application of funds available for such purposes; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Representative Harris—

HB 3371—A bill to be entitled An act authorizing the state board of education to issue bonds in the amount of one hundred seventeen million dollars (\$117,000,000) during the 1973-75 biennium in accordance with the provisions of §9, Article XII of the Constitution of the State of Florida; providing an effective date.

—was read the first time by title and placed on the calendar.

By Representatives Harris and Lewis—

HB 3170—A bill to be entitled An act relating to per diem and traveling expenses of public officers and employees; repealing §112.061(6)(a), Florida Statutes, 1972 Supplement, and amending §112.061(6)(b), (c), and (d), Florida Statutes, 1972 Supplement; eliminating the distinction between conferences and conventions; raising the allowed rates for meal allowances; removing a statutory ceiling on travel expenses consisting of actual expenses for lodging plus meal allowances; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 29, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 4153 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Retirement, Personnel & Claims—

HB 4153—A bill to be entitled An act relating to retirement; adding paragraph (c) to §112.362(2), Florida Statutes, 1973, limiting certain retirement benefits payable out of state supported retirement systems to a figure no greater than average final compensation; amending §121.051(1) and (2)(a), Florida Statutes, 1973, placing limitation on membership in the state

retirement systems by employees of The University Athletic Association, Inc., prohibiting the transfer to the Florida retirement system by officers and employees of a nonprofit professional association or nonprofit corporation which is not approved for social security coverage; amending §121.091(9), Florida Statutes, 1973, providing certain limitations on reemployment after retirement, deleting authority of a retired person who is holding a public office to receive both his retirement and compensation, or to renew his retirement membership during reemployment; creating §121.21, Florida Statutes, making it a crime to attempt to defraud any state retirement system and providing a penalty, authorizing the division of retirement to make adjustments to benefits upon discovery of errors or changes that would have resulted in a different benefit being paid; amending §122.16, Florida Statutes, 1973, providing limitation on reemployment after retirement; amending §238.181, Florida Statutes, 1973, providing limitation on reemployment after retirement; repealing §122.051, Florida Statutes, 1973, which authorizes a retired person who is elected to the legislature to receive both his retirement and legislative salary; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 28, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 2730 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Boyd and others—

CS for HB 2730—A bill to be entitled An act relating to local government repealing chapter 171, Florida Statutes, 1973; creating a new chapter 171; providing a short title; providing legislative purpose; providing for effect on special laws; providing definitions; providing annexation procedures; providing prerequisites to annexation; providing character of the area to be annexed; providing separate procedures for voluntary annexation; providing contraction procedures; providing criteria for contraction; providing for the apportionment of debts and taxes in annexations or contractions; providing for effects of annexations or contractions; providing for effect of the act in Dade County; providing for appeal on annexation or contraction; providing for recording of annexations or contractions; providing for an effective date.

—was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional 3/5 vote of the membership of the House CS for HJR's 2289 & 2984 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representatives Conway and Turlington—

CS for HJR's 2289 and 2984—A joint resolution proposing an amendment to Section 9 of Article XII of the State Constitution, providing that the revenue derived from the gross receipts taxes levied in chapter 203, Florida Statutes, shall be used for capital outlay projects for the state system of public education; and to correct inadvertent errors in subsection (d) thereof.

—was read the first time by title and referred to the Committee on Education.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4086 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Rude and others—

HB 4086—A bill to be entitled An act relating to Broward County amending Chapter 24415, Laws of Florida, Special Acts of 1947, as amended, relating to the South Broward Hospital District, creating a new Section 38 to establish the fiscal year of the South Broward Hospital District commencing May 1, and ending April 30 of each calendar year, notwithstanding the provisions of Florida Statutes 218.33; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4086.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed CS for HB 3378 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representatives Danahy and Kiser—

CS for HB 3378—A bill to be entitled An act relating to county government; creating part III of chapter 125, Florida Statutes, consisting of §125.70 through §125.76, Florida Statutes, entitled "the county administration law of 1974"; providing legislative intent; providing for the appointment, qualification and compensation of county administrators to act as administrative heads of certain counties; providing for the administrator's powers and duties; providing that this act shall supersede any general or special law in conflict therewith; creating part IV of chapter 125, Florida Statutes, consisting of §125.80 through §125.89, Florida Statutes, entitled the "optional county charter law"; providing definitions; providing for a limitation on charter adoption by counties and prohibits certain special laws with respect to said charter; providing for general provisions of county charters; providing optional forms of government for counties desiring to adopt a county charter; providing for separation of executive and legislative powers and duties; providing for adoption and amendment of an administrative code; authorizing the adoption of a merit system under certain circumstances; providing an effective date.

—was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 2263 HB 2880 HB 2666
CS for HB 3450 HB 3907
CS for HB's 3659, 3763 & 3879

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Education and Representative Tittle—

CS for HB 2263—A bill to be entitled An act relating to county officials' salaries; amending section 145.08, Florida Statutes, 1973, creating a new subsection (2); allowing school boards to set the salaries of superintendents above the maximum provided by general law; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Education and Representatives Hair and Nelson—

HB 3907—A bill to be entitled An act relating to education; amending 228.071(2), Florida Statutes, as amended by chapter 73-338, Laws of Florida, and adding subsections (9) and (10) thereto; enlarging the scope of the community school program; authorizing use of school facilities for community school programs, establishing a demonstration project; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Education.

By Representative Hutto—

HB 2666—A bill to be entitled An act relating to developmentally disabled persons; providing extended employment; providing definitions; providing for expenditures; providing for maintenance of register of qualified nonprofit employment organizations; providing for determination of developmental disability; providing for exclusion of support circumstances; providing for promulgation of reasonable rules and regulations; providing an effective date.

—was read the first time by title and placed on the Calendar.

By the Committee on Natural Resources and Representative Singleton—

CS for HB 3450—A bill to be entitled An act relating to salt-water fisheries and conservation; amending the introductory paragraph and paragraph (e) of §370.11(3), Florida Statutes, 1973, shortening the period during which no person may prevent shad from spawning; changing the requirement that commercial fishing nets be removed from the water for seventy-two (72) hours per week; prohibiting any boat from containing more than one thousand (1,000) yards of gill nets of any kind for the taking of shad; relating to crawfish; amending §370.14(3)(f), Florida Statutes, 1973, and adding a new section 2; providing a crawfish bag limit; creating a sports fisherman's crawfish season; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Health & Rehabilitative Services and Representative Young and others—

CS for HB's 3659, 3763 and 3879—A bill to be entitled An act relating to handicapped persons, providing definitions; prohibiting certain business establishments from obstructing common or emergency entrances and exits; providing exemptions; providing a penalty; providing an effective date.

—was read the first time by title and placed on the calendar.

By Representative Kutun and others—

HB 2880—A bill to be entitled An act relating to the division of retardation of the department of health and rehabilitative services; providing definitions; establishing regional human rights advocacy committees; specifying membership, powers, and duties of committees; specifying terms and method of selection of members and officers; establishing a statewide human rights advocacy committee; specifying membership, method of selection, terms, powers, and duties of committee; providing confidentiality; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2894 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 2894—A bill to be entitled An act relating to manpower; creating part VI of chapter 13, Florida Statutes; establishing the state manpower services council within the department of commerce and providing for its membership, duties, organization, and staff; establishing regional manpower planning districts and regional manpower planning advisory boards and providing for their membership and duties; authorizing comprehensive regional planning councils created under chapter 160 and chapter 163, Florida Statutes, to review plans developed by regional manpower planning advisory boards; providing an appropriation; providing an effective date.

—was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President

May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 3269

CS for CS for HB 3740

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Harris and others—

CS for HB 3269—A bill to be entitled An act relating to local government; requiring the filing of county, municipal and special district charters or articles of incorporation, or amendments or revisions thereof with the secretary of state; providing duties of secretary of state; creating §163.04, Florida Statutes, 1973, providing for the filing of documents with the secretary of state; adding subsection (6) to §166.031, Florida Statutes, 1973, authorizing governing bodies of municipalities to amend by ordinance, without referendum, any charter provision declared unconstitutional or inconsistent with general law under certain circumstances; providing conditions and filing with the attorney general of the state; amending §166.041(6), Florida Statutes, 1973, providing for preemption; repealing any charter or special law in conflict with the provisions of the section as of July 1, 1974, to the extent of such conflict; providing an exemption to certain requirements relating to the procedures for adoption of ordinances and resolutions; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By the Committees on Rules & Calendar and Governmental Operations and Representative Shreve and others—

CS for CS for HB 3740—A bill to be entitled An act relating to law enforcement; creating the department of criminal justice; providing that the head of the department shall be the governor and cabinet; providing for the appointment of the executive director of the department; providing for qualifications and duties of the executive director; providing the powers of the department; providing for rules and regulations; providing that the attorney general shall be the legal advisor to and represent the department; providing for annual reports; providing for the establishment of divisions within the department; providing for the power to establish bureaus within any division in addition to those created in this act; providing for location and housing of the department; creating the division of law enforcement; providing for duties of the director of the division; establishing bureaus within the division; providing that investigators shall be peace officers; providing for powers of the division; providing for privileges and benefits of investigators; providing for the security of the governor; creating the division of criminal justice information systems; providing for a division director; providing for a system of fingerprint analysis and identification; providing for a system intrastate communication of statistics and information relating to criminal activity; providing for a system of uniform crime reports and statistical analysis; establishing bureaus within the division; creating a criminal justice information systems council; providing for the composition of the council; providing for terms of appointment; providing for the election of a chairman and for meetings; providing that membership on the council shall not disqualify a member from holding public office or employment; providing for per diem and traveling expenses; providing definitions; providing for duties of the council; creating the division of standards and training; providing for a director; establishing bureaus within the division; providing definitions; establishing the police standards and training commission; providing for the composition of the commission; providing for terms of appointment; providing that membership on the commission shall not disqualify a member from holding public office or employment; providing for geographical consideration in appointments; providing for meetings; providing for per diem and traveling expenses; providing for special powers of the commission; providing for qualifications of employment of police officers; providing for police training programs; providing for certificates and diplomas; providing exemptions; providing for injunction proceedings; providing for reimbursement of employing agency by commission; providing for payment of tuition by employing agency; providing for in-service train-

ing and promotion; providing for salary scale study and reports; providing for a saving clause; providing for qualifications and standards above the minimum; providing an exception; providing for the salary incentive program; providing for definitions; providing schedules of payments for qualifying law enforcement officers; providing for rules and regulations; providing for reports; providing for notice of employment status; providing for legislative intent; providing for advanced training; providing that expenses shall be borne by the state; providing for assessment of additional court costs in criminal proceedings; providing for disposition; providing for audits by the auditor general; providing for additional assessment by local government; providing that the funds which have accumulated to the Florida police academy fund shall be made available to the department for training and facilities; providing authorization for the department of administration to disburse funds; providing for trust fund block matching by state; providing for disbursement of trust fund for matching; providing for contracts with educational institutions; provided that training shall be without cost; creating the division of local law enforcement assistance; providing for employment of a director; providing for development of policies for cooperation with local law enforcement units; providing for assistance to law enforcement agencies; providing for the exercise of duties prescribed under Part VII of chapter 23, Florida Statutes, known as the Florida mutual aid act; creating a local law enforcement advisory council; providing for the composition of the council; providing for terms of appointment; providing for election of a chairman and for meetings; providing that membership on the council shall not disqualify a member from holding public office or employment; providing for per diem and traveling expenses; providing for powers and duties of the council; amending sections 23.122(7), 23.123, Florida Statutes, 1973, which define state law enforcement coordinator and relate to state mutual aid council; creating the division of staff services; providing for employment of a director; providing for duties; establishing bureaus within the division; repealing Part IV, Part V and Part VI of chapter 23, Florida Statutes, 1973, relating to police standards board, the Florida law enforcement act of 1967, and the Florida police academy; providing an effective date.

—was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 3280

HB 3975

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representative Ogden and others—

CS for HB 3280—A bill to be entitled An act relating to county government; amending §125.01(1)(q) and (r) and (2), Florida Statutes, 1973, and adding new subsections (5) and (6), and amending §200.071(3), Florida Statutes, 1973; authorizing the governing body of any county to create municipal services and taxing units in the unincorporated areas and special purpose districts in both unincorporated and incorporated areas of the county under certain circumstances; authorizing the governing body of the county to levy ad valorem taxes within certain municipal service taxing and benefit units under certain circumstances; amending Section 200.071(3) to authorize the levy of ad valorem taxes within such municipal service taxing units within the limits permitted for municipal purposes; providing that any special district created within and without incorporated areas may be composed of representatives of both municipal and county governing bodies; authorizing county governing bodies to develop mechanisms for financing certain services provided in unincorporated areas under certain circumstances; providing petitions and procedures; providing the effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Governmental Operations—

HB 3975—A bill to be entitled An act relating to the department of community affairs; amending section 20.18, Florida

Statutes, by amending paragraph (b) of subsection (3) and by adding subsections (16) and (17); providing for meetings of council on community affairs; providing for appointment by the secretary of directors or executive directors of any commission or council assigned to the department to serve at his pleasure with the advice and consent of the respective commissions or councils; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4164 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Rude and Others—

HB 4164—A bill to be entitled An act relating to Broward County; creating the arts council of Broward County for the purpose of developing, coordinating, and promoting the performing and visual arts and declaring such activity a public purpose; providing for the geographical boundary; providing for the method and manner of the appointment of and terms of its membership; providing definitions; providing for its powers, functions, privileges, duties, and responsibilities; providing for sources of revenues; providing for the issuance by the arts council of revenue bonds and refunding bonds to carry out the purposes of this act and for the rights and remedies of bondholders; providing for the preparation of an annual budget by the arts council; providing for the conveyance of lands and properties to the arts council; providing for employees of the arts council to be subject to the provisions of civil service; providing for a referendum; providing for an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Mallory E. Horne, President May 24, 1974

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 157 (cs) as amended by the Conference Committee Report.

Allen Morris, Clerk

CONFERENCE COMMITTEE REPORT ON HB 157 (cs)

The Honorable Mallory E. Horne
President of the Senate

May 22, 1974

The Honorable T. Terrell Sessums
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on Senate Amendments 1, 2 and 4 to the Committee Substitute for House Bill 157, same being:

An act relating to public education; amending sections 228.041(9), 228.041(10), Florida Statutes, 1972 Supplement, relating to instructional personnel and administrative personnel, and sections 231.36(1), and 231.36(3) (a), Florida Statutes, 1972 Supplement, and adding paragraphs (f) and (g) to said subsection (3), relating to contracts with instructional staff; providing an effective date.

having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the Senate and the House of Representatives adopt the Conference Committee Amendments in lieu of Senate Amendments 1, 2 and 4 said Conference Committee Amendments attached hereto, and by reference made a part of this report.

KENNETH H. MACKAY
LEWIS S. EARLE
JOHN R. CLARK
Managers on the part of the
House of Representatives

D. ROBERT GRAHAM
JACK D. GORDON
PHILIP D. LEWIS
Managers on the part of the
Senate

Conference Committee Amendment 1—On page 3, lines 8—11, strike all of lines 8—11 and insert: in Chapter 230. A supervisor or principal may receive a written contract for an initial period not to exceed three years, subject to annual review and renewal. After the first three years, the contract may be renewed for a period not to exceed three years and shall contain provisions for dismissal only for just cause, in addition to such other provisions as prescribed by the school board.

Conference Committee Amendment 2—On page 3, line 14, strike "and (g)" and insert: (g) and (h)

Conference Committee Amendment 3—On page 5, line 12, insert new subsection (h): (h) School boards are authorized to enter into continuing contracts with principals and supervisors who were employed as principals or supervisors on or before July 1, 1974, and who otherwise meet the requirements of paragraph (a) of this subsection provided, however, that this authorization shall expire July 1, 1977. If a district school board elects not to exercise the authority in this paragraph, no showing of just cause shall be required.

Conference Committee Title Amendment 4—On page 1, line 11, strike "and (g)" and insert: (g) and (h)

On motion by Senator Gordon the Conference Committee Report was read.

On motion by Senator Gordon the Report of the Conference Committee as an entirety was adopted. The vote was:

Yeas—30

Mr. President	Gillespie	Lewis	Stolzenburg
Barron	Glisson	McClain	Sykes
Brantley	Gordon	Peterson	Ware
Childers	Gruber	Pettigrew	Wilson
Deeb	Henderson	Poston	Winn
de la Parte	Johnson	Sayler	Zinkil
Firestone	Johnston	Sims	
Gallen	Lane (23rd)	Smathers	

Nays—None

On motion by Senator Gordon, HB 157 (cs) passed as recommended and was certified to the House. The vote was:

Yeas—27

Mr. President	Glisson	Lewis	Sykes
Brantley	Gordon	McClain	Ware
Deeb	Gruber	Peterson	Weber
de la Parte	Henderson	Pettigrew	Wilson
Firestone	Johnson	Poston	Winn
Gallen	Johnston	Sayler	Zinkil
Gillespie	Lane (23rd)	Stolzenburg	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

SPECIAL ORDER

HB 1542 (cs 1542, 1370)—A bill to be entitled An act relating to the Florida Public Service Commission; amending chapter 350, Florida Statutes, adding new sections 350.061 through 350.0614 to create the office of public counsel and to prescribe the qualifications, duties, staff and compensation of said office; amending section 350.58, Florida Statutes, to require annual reports of public counsel; adding subsection (4) to §364.05, Florida Statutes, subsection (4) to §366.06, Florida Statutes, and subsection (5) to §367.081, Florida Statutes, allowing the commission to withhold consent of new rate schedules and

defer their use for a five (5) month period; providing that new rates or any portion not consented to shall become effective under bond at the end of five (5) months if the commission has not concluded the proceeding; requiring the utility to keep detailed records and make refunds under certain circumstances and requiring interest to be paid on such refunds; providing an effective date.

—was taken up with pending Amendment 7 which was withdrawn.

On motion by Senator Plante, consideration of HB 1542 (cs 1542, 1370) was deferred.

HB 1543 (cs)—A bill to be entitled An act relating to the Florida public service commission; adding subsections (2) and (3) to §366.04, Florida Statutes, extending commission jurisdiction over rural electric cooperative and municipal electric utilities for certain purposes; authorizing the commission to plan and develop a coordinated electric power grid; adding subsections (7) and (8) to §366.05, Florida Statutes, authorizing the commission to require certain reports and to require necessary facilities for the reliability of the energy grid; creating §366.05, Florida Statutes, providing for availability of energy reserves; creating §366.061, Florida Statutes, providing for a study of rate structure by the legislature; providing an appropriation; amending §366.11, Florida Statutes, providing limitations on certain exemptions; providing an effective date.

—was read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was moved by Senator Barron:

Amendment 1—On page 1, beginning on line 25, strike everything after the enacting clause and insert: Section 1. Section 366.04, Florida Statutes, is amended by adding subsections (2) and (3) to read:

366.04 Florida public service commission; jurisdiction.—

(2) In the exercise of its jurisdiction the commission shall have power over rural electric cooperative and municipal electric utilities for the following purposes:

(a) To prescribe a uniform system and classification of accounts.

(b) To prescribe a uniform rate structure for all electric utilities.

(c) To require electric power conservation and reliability within a coordinated grid for operational as well as emergency purposes.

(d) To approve territorial agreements between and among rural electric cooperatives, municipal electric utilities, and other electric utilities under its jurisdiction or any of them; provided, nothing in this chapter shall be construed to alter existing territorial agreements as between the parties to such agreements.

(e) To resolve any territorial dispute involving service areas between and among rural electric cooperatives, municipal electric utilities, and other electric utilities under its jurisdiction or any of them. In resolving territorial disputes the public service commission shall consider, but not be limited to the ability of the utilities to expand services within their own capabilities, the nature of the area involved including population and the degree of urbanization of the area, its proximity to other urban areas, and the present and reasonably foreseeable future requirements of the area for other utility services. No provision of this chapter shall be construed or applied to impede, prevent or prohibit any municipally owned electric utility system from distributing at retail electrical energy within its corporate limits, as such corporate limits exist on the effective date of this act, provided, however, existing territorial agreements shall not be altered or abridged hereby.

(3) The commission shall further have jurisdiction over the planning, development and maintenance of a coordinated electric power grid throughout Florida, to assure an adequate and reliable source of energy for operational and emergency purposes in Florida and the avoidance of further uneconomic duplication of generation, transmission, and distribution facilities.

Section 2. Section 366.05, Florida Statutes, is amended by adding new subsections (7) and (8) to read:

366.05 Powers.—

(7) *The Commission shall have the power to require reports from all electric utilities to assure the development of adequate and reliable energy grids.*

(8) *If the commission determines that there is probable cause to believe that inadequacies exist with respect to the energy grids developed by the electric utility industry, it shall have the power, after holding hearings as provided by law, and after a finding that mutual benefits will accrue to the public utilities involved, to require installation or repair of necessary facilities, including generating plants and transmission facilities with the costs to be distributed in proportion to the benefits received, and to take all necessary steps to insure compliance. The electric utilities involved in any action taken or orders issued pursuant to this subsection shall have full power and authority notwithstanding any general or special laws to the contrary, to jointly plan, finance, build, operate or lease generating and transmission facilities and shall be further authorized to exercise the powers granted to corporations in chapter 361, Florida Statutes. Provided that this subsection shall not supersede or control any provision of the electric power plant siting act, sections 403.501 thru 403.516, Florida Statutes, 1973.*

Section 3. Subsection 366.055, Florida Statutes, is created to read:

366.05 Availability of energy reserve.—*Energy reserves of all utilities in the Florida energy grid shall be available at all times to insure that grid reliability and integrity are maintained. The commission is hereby authorized to take any such step as may be necessary to insure compliance.*

Section 4. Section 366.061, Florida Statutes, is created to read:

366.061 Electric utility rate structure study.—

(1) *The legislature finds that over the past twelve (12) years electric power demand has been growing at an annual rate of approximately eleven (11) percent and that the impact of this growth rate on required electrical rates needs adequate investigation.*

(2)(a) *There is created a joint select committee of the senate and house of representatives composed of five (5) members of the senate appointed by the president of the senate and five (5) members of the house of representatives appointed by the speaker of the house of representatives. The committee shall conduct or contract with consultants of national reputation to conduct a study of rate structure of all electric utilities in Florida including rural electric cooperative and municipal electric utilities. A final report shall be submitted to the public service commission and the legislature by March 15, 1975. The members of the committee shall serve until the end of the 1975 regular session of the legislature at which time the committee shall terminate.*

(b) *Among the factors to be examined by the study are the form of marginal costs of service to new customers, the ability technically and economically, to engage in peak-load pricing and the magnitude and details of the economic relationships in Florida between the demand for electricity and its price, as well as other factors which may effect decisions on alternative rate structures.*

(3) *There shall be appropriated from the general revenue fund the sum of fifty thousand dollars (\$50,000) with which to conduct this study during the fiscal year 1974-75.*

Section 5. Section 366.11, Florida Statutes, is amended to read as follows:

366.11 Certain exemptions.—*No provision of this chapter shall apply in any manner other than as specified in section 366.04(2) and (3), section 366.05(7) and (8), section 366.055, and section 366.061, Florida Statutes, to utilities owned and operated by municipalities whether within or without any municipality, or by cooperatives organized and existing under the rural electrification cooperative law of the state, nor to the sale of electricity, manufactured gas or natural gas at wholesale by any public utility to, and the purchase by, any municipality or cooperative under and pursuant to any contracts now in effect*

or which may be entered into in the future, where such municipality or cooperative is engaged in the sale and distribution of electricity, manufactured or natural gas, nor to the rates provided for in such contracts. Further the provisions of section 350.78, Florida Statutes, shall not apply to municipally owned and operated electric utilities and rural electric cooperatives. Nothing herein shall restrict the police power of municipalities over their streets, highways and public places or the power to maintain or require the maintenance thereof, nor the right of a municipality to levy taxes on public services under §167.431, Florida Statutes, nor affect the right of any municipality to continue to receive revenue from any public utility as is now provided or as may be hereafter provided in any franchise, nor repeal §167.22, Florida Statutes.

Section 6. This act shall take effect July 1, 1974.

The Committee on Governmental Operations offered the following amendments to Amendment 1 which were moved by Senator Barron and adopted:

Amendment 1a—On page 1, lines 8 and 9, of the Rules Committee Amendment, strike all of (a) and insert: (a) To prescribe uniform systems and classifications of accounts.

Amendment 1b—On page 1, line 10 of the Rules Committee Amendment, strike the word "uniform"

Amendment 1c—On page 3, line 23—29, of the Rules Committee Amendment, strike: all of Section 3 and insert: Section 3. Section 366.055, F.S., is created to read:

366.055. Availability of and payment for energy reserves.—

(1) *Energy reserves of all utilities in the Florida energy grid shall be available at all times to insure that grid reliability and integrity are maintained. The commission is hereby authorized to take such action as necessary to assure compliance; provided, however, prior commitments as to energy use in interstate commerce as approved by the Federal Power Commission; commitments between one electric utility and another which have been approved by the Federal Power Commission; or commitments between an electric utility which is a part of the energy grid created herein and another energy grid shall not be abridged or altered except during an energy emergency as declared by the governor and cabinet.*

(2) *When the energy produced by one electric utility is transferred to another or others through the energy grid and under the powers granted by this section, the commission shall direct the appropriate recipient utility or utilities to reimburse the producing utility in accordance with the latest wholesale electric rates approved for the producing utility by the Federal Power Commission for such purposes.*

The Committee on Rules and Calendar offered the following amendment to Amendment 1 which was moved by Senator Barron and adopted:

Amendment 1d—On page 2, beginning on line 5 of Amendment 1c insert: Any utility which provides a portion of those transmission facilities involved in the transfer of energy from a producing utility to a recipient utility or utilities shall be entitled to receive an appropriate reimbursement commensurate with the transmission facilities and services provided. Provided further, no utility shall be required to sell purchased power to a recipient utility or utilities at a rate lower than the rate at which the power is purchased from a producing utility.

Senator Horne offered the following amendment to Amendment 1 which was moved by Senator Barron:

Amendment 1e—On page 2, strike the word "shall" in line 8 and insert: the word "may" in lieu thereof.

Amendment 1e was adopted by the following vote:

Yeas—21

Mr. President	Gallen	Gruber	Lane (23rd)
de la Parte	Glisson	Henderson	Lewis
Firestone	Gordon	Johnston	Myers

Pettigrew	Sims	Wilson	Zinkil
Poston	Smathers	Winn	
Saylor	Ware		

Nays—13

Barron	Lane (31st)	Scarborough	Williams
Brantley	Peterson	Sykes	
Childers	Plante	Trask	
Gillespie	Saunders	Vogt	

Senator Barron moved that consideration of HB 1543 (cs) be deferred.

Senator Zinkil moved that debate be limited to 2 minutes per person.

Senator Pettigrew moved as a substitute motion that debate be limited to 1 minute per person. The motion failed.

The original motion failed by the following vote:

Yeas—11

Mr. President	Gordon	Smathers	Winn
de la Parte	Myers	Williams	Zinkil
Firestone	Pettigrew	Wilson	

Nays—15

Barron	Johnston	Poston	Sykes
Childers	McClain	Saunders	Trask
Gillespie	Peterson	Scarborough	Vogt
Gruber	Plante	Sims	

Senator Sykes moved that the rules be waived and HB 1543 (cs) be read the third time.

The motion failed by the following vote:

Yeas—16

Mr. President	de la Parte	Graham	Pettigrew
Barron	Firestone	Lane (23rd)	Smathers
Brantley	Gallen	Lewis	Williams
Deeb	Glisson	McClain	Winn

Nays—17

Childers	Johnston	Scarborough	Weber
Gillespie	Lane (31st)	Sims	Wilson
Gruber	Peterson	Sykes	
Henderson	Plante	Trask	
Johnson	Poston	Vogt	

On motion by Senator Plante, the Senate recessed at 10:48 a.m. to reconvene at 11:00 a.m.

The Senate was called to order by the President Pro Tempore at 11:00 a.m. A quorum present.

On motions by Senator Myers, SB 897 and HB 2880 were withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Lane (31st), HM 2792 was withdrawn from the Committee on Health and Rehabilitative Services by two-thirds vote and placed on the consent calendar.

CONSENT CALENDAR

CS for HB 2799—A bill to be entitled An act relating to civil defense; creating §§252.31-252.52, Florida Statutes; providing for civil defense preparedness; providing rules, regulations, powers, duties and authority for preparing for disaster or imminent disastrous conditions; providing for transfer of funds and use of unappropriated surplus funds; providing penalty; amending §20.18(2)(b), Florida Statutes, and adding subsection (16) to said section; establishing a division of disaster preparedness in the department of community affairs; repeal-

ing §20.18(7), (8) and (9), Florida Statutes, relating to the department of civil defense, the state civil defense council and the civil defense advisory board; repealing the present chapter 252, consisting of §§252.01-252.28, Florida Statutes, relating to civil defense; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote CS for HB 2799 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Barron	Graham	Pettigrew	Trask
Brantley	Gruber	Poston	Vogt
Childers	Henderson	Saunders	Ware
de la Parte	Johnson	Saylor	Weber
Firestone	Johnston	Scarborough	Wilson
Gallen	Lane (31st)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Gordon	Peterson	Sykes	

Nays—None**The President presiding**

HB 3923—A bill to be entitled An act relating to the Florida retirement system; adding subsection (4) to §121.20, Florida Statutes, 1973, authorizing certain elected municipal officers with twenty (20) years service to retire with benefits equal to one-half (1/2) pay even if there are other retirement plans available to officers and employees of the municipality; providing an effective date.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote HB 3923 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Glisson	Lewis	Sykes
Barron	Gordon	Myers	Trask
Brantley	Graham	Peterson	Vogt
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Poston	Weber
de la Parte	Johnson	Saunders	Wilson
Firestone	Johnston	Saylor	Winn
Gallen	Lane (31st)	Sims	Zinkil
Gillespie	Lane (23rd)	Smathers	

Nays—None

HB 3467—A bill to be entitled An act relating to the Suwannee River Authority; amending chapter 61-538, Laws of Florida, adding counties; providing for matching appropriation from the general revenue fund of the state for the Suwannee River Authority; providing an effective date.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote HB 3467 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Plante	Vogt
Firestone	Johnston	Poston	Ware
Gallen	Lane (31st)	Saunders	Weber
Gillespie	Lane (23rd)	Saylor	Wilson
Glisson	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil

Nays—None

On motion by Senator Gillespie, CS for HB 671 was withdrawn from the Committee on Judiciary by two-thirds vote and placed on the calendar.

SB 230 was taken up, together with a committee substitute by the Committee on Ways and Means, and on motion by Senator Gillespie—

CS for HB 671—A bill to be entitled An act relating to domestic relations, husband and wife; amending §§741.01, 741.02,

741.03, 741.04, 741.05, 741.051, 741.053, 741.057, 741.058, 741.0591, 741.0592, 741.07, 741.08, 741.09, 741.10, and 382.24, Florida Statutes, 1973, relating to the issuance of marriage licenses, to fees, records, and penalties related thereto, and to persons authorized to solemnize matrimony; authorizing clerks of the circuit courts to issue marriage licenses and perform marriages; increasing the fee for receiving an application for issuance of a marriage license; providing for the transmission of the additional fee authorized by §741.02, Florida Statutes, to the bureau of vital statistics; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Gillespie, by two-thirds vote CS for HB 671 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gordon	Myers	Stolzenburg
Brantley	Graham	Peterson	Sykes
Childers	Gruber	Pettigrew	Trask
Deeb	Henderson	Plante	Vogt
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Saunders	Winn
Gallen	Lane (31st)	Saylor	
Gillespie	Lane (23rd)	Sims	
Glisson	McClain	Smathers	

Nays—1

Zinkil

SB 230 and the committee substitute were laid on the table.

SB 81—A bill to be entitled An act relating to the Florida retirement system; amending §§121.071(1) and 121.091(1)(a), Florida Statutes; providing an increase in contributions and the retirement benefit for special risk members; providing an effective date.

—was read the second time by title.

Senator Firestone moved the following amendments which were adopted:

Amendment 1—On page 1, line 20, strike Section 2 in its entirety and renumber subsequent sections

Amendment 2—On page 3, line 1, strike the period and insert: *provided that the normal retirement benefit including any past or additional retirement credit does not exceed 100 percent of the average final compensation.*

On motion by Senator Firestone, by two-thirds vote SB 81 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Brantley	Henderson	Pettigrew	Trask
Childers	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Ware
Firestone	Lane (31st)	Saylor	Weber
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	Zinkil
Gordon	McClain	Smathers	
Graham	Myers	Stolzenburg	

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

On motion by Senator de la Parte, HB 3198 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

SB 612 was taken up and on motion by Senator de la Parte—

HB 3198—A bill to be entitled An act relating to the solicitation of charitable funds; amending §§496.02(1) and (5), 496.03(1)(f) and (2), 496.031(1) and (2), 496.04, 496.041(2) and (4),

and 496.13(5) and (6)(a), all Florida Statutes, 1973; adding subsection (6) to §496.02, subsection (3) to §496.03, subsection (4) to §496.031, subsections (6), (7), (8), (9), (10) and (11) to §496.11, and subsection (7) to §496.13, all Florida Statutes, 1973; creating §496.021, Florida Statutes; amending the definitions of "charitable organization" and "professional solicitor"; defining "gross contributions"; granting the department of state regulatory powers over licensing, authority to promulgate regulations, and standing to maintain legal actions; specifying registration fee; requiring identification for those soliciting; adding requirement for licensee not to have been convicted for violation of this chapter; providing for employee's certificate and fee therefor; increasing professional solicitor's license fee from fifty dollars (\$50) to five hundred dollars (\$500); clarifying those exempted from registration fee; clarifying those claiming exemption from registration and requiring a ten dollar (\$10) fee for original registration and exemption; requiring independent members of federated organizations to pay a filing fee when they receive funds from sources other than the federated organization or a government agency; providing for the filing of certain information by charitable organizations; prohibiting telephone solicitation by professional solicitors; limiting professional solicitors' fees to twenty-five percent (25%) of the gross contributions solicited by them, which include all fund raising costs; limiting to not more than twenty-five percent (25%) of its gross the amount a charity may expend for fund raising; restricting use of words "charity," "charitable," "police," "firefighter," and "firemen"; redefining criminal penalties; granting the department of state the right to seek arrest warrants; providing for conflict; providing for severability; providing an effective date.

—a similar measure was substituted therefor and read the second time by title. On motion by Senator de la Parte, by two-thirds vote HB 3198 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Peterson	Sykes
Brantley	Henderson	Pettigrew	Trask
Childers	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Ware
Firestone	Lane (31st)	Saylor	Weber
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	Zinkil
Gordon	McClain	Smathers	
Graham	Myers	Stolzenburg	

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

SB 612 was laid on the table.

On motion by Senator Pettigrew, HB 4142 was withdrawn from the Committee on Criminal Justice by two-thirds vote and placed on the calendar.

Consideration of HB 788 was deferred.

SB 931 was taken up and on motion by Senator Myers—

HB 3559—A bill to be entitled An act relating to mental health; amending subsection (4) of section 394.76, Florida Statutes, which relates to the state's share of financial participation in community mental health services, to clearly define the formula for determining the state's share; increasing the level of the state's financial participation to 75 percent; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Myers, by two-thirds vote HB 3559 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Glisson	Johnston	Peterson
Brantley	Gordon	Lane (31st)	Pettigrew
de la Parte	Graham	Lane (23rd)	Plante
Firestone	Gruber	Lewis	Poston
Gallen	Henderson	McClain	Saylor
Gillespie	Johnson	Myers	Scarborough

Sims
Smathers
Stolzenburg

Sykes
Trask
Vogt

Ware
Weber
Wilson

Winn
Zinkil

Nays—None

SB 931 was laid on the table.

HB 803—A bill to be entitled An act relating to the department of agriculture and consumer services; amending section 570.09, Florida Statutes, to reduce the duties of assistant commissioner of agriculture; amending section 570.31(1), Florida Statutes, to authorize a director of the division of administration; providing effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 803 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gordon	McClain	Stolzenburg
Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Saylor	Winn
Gallen	Lane (31st)	Scarborough	Zinkil
Gillespie	Lane (23rd)	Sims	
Glisson	Lewis	Smathers	

Nays—None

SB 554 was laid on the table.

On motion by Senator Myers, CS for HB's 3208 and 3166 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

Consideration of SB 235 and HB 3738 was deferred.

HB 4144—A bill to be entitled An act relating to the blind and severely handicapped; providing definitions; creating a council within the department of general services for the purchase of products and services of the blind and other severely handicapped; providing for membership of the council providing powers and duties of the council requiring state agencies to procure products and services of the blind and other severely handicapped from certain nonprofit agencies; providing for co-operation between the council and state agencies; requiring an annual report by the council to governor and the legislature; prohibiting evasion of the intent of the act by a state agency; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 4144 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Stolzenburg
Brantley	Graham	Myers	Sykes
Childers	Gruber	Peterson	Trask
Deeb	Henderson	Pettigrew	Ware
de la Parte	Johnson	Plante	Weber
Firestone	Johnston	Poston	Wilson
Gallen	Lane (31st)	Scarborough	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

SB 1037 was laid on the table.

HB 98—A bill to be entitled An act relating to traffic accidents; creating §316.070, Florida Statutes; providing that law enforcement officers shall require the exchange of specified information at the scene of certain motor vehicle accidents;

amending §316.068(1), Florida Statutes, providing that liability insurance policy numbers be included on accident report forms; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 98 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	Myers	Sykes
Brantley	Graham	Peterson	Trask
Childers	Gruber	Pettigrew	Vogt
Deeb	Henderson	Poston	Ware
de la Parte	Johnson	Saylor	Weber
Firestone	Johnston	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	

Nays—1

Lane (31st)

Consideration of HB 933 was deferred.

SB 712 was taken up and on motion by Senator Ware—

CS for HB 3206—A bill to be entitled An act relating to the creation and establishment of health facilities authorities; providing definitions; providing for appointment of members; providing purposes and powers of authorities; providing for the financing and construction of health facilities; providing for the issuance of bonds and remedies of bondholders; providing for the conveyance of such health facilities; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Ware, by two-thirds vote CS for HB 3206 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gordon	McClain	Trask
Brantley	Graham	Myers	Vogt
Childers	Gruber	Peterson	Ware
Deeb	Henderson	Poston	Weber
de la Parte	Johnson	Saylor	Winn
Firestone	Johnston	Sims	Zinkil
Gallen	Lane (31st)	Smathers	
Gillespie	Lane (23rd)	Stolzenburg	
Glisson	Lewis	Sykes	

Nays—None

SB 712 was laid on the table.

CS for HB 3266—A bill to be entitled An act relating to the formation of local governments; repealing chapter 165, Florida Statutes, which is the present law relating to the organization and dissolution of municipalities; creating a new chapter 165, Florida Statutes, entitled "Formation of Local Governments", consisting of §165.011 through 165.093, Florida Statutes; providing legislative purpose; providing that the act shall preempt certain general and special laws; providing definitions; providing procedures and criteria for the formation, including creation, incorporation, merger and dissolution, of municipalities and special districts; providing for judicial review by certiorari of certain actions taken pursuant to this act; providing specified powers and duties of the department of community affairs with respect to counties, municipalities, and special districts; authorizing certain studies on local government service delivery by the department; requiring state and local agencies to cooperate with the department in the administration of the act; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote CS for HB 3266 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gordon	McClain	Trask
Barron	Graham	Myers	Vogt
Brantley	Gruber	Peterson	Ware
Childers	Henderson	Pettigrew	Weber
de la Parte	Johnson	Poston	Wilson
Firestone	Johnston	Saylor	Winn
Gallen	Lane (31st)	Sims	Zinkil
Gillespie	Lane (23rd)	Stolzenburg	
Glisson	Lewis	Sykes	

Nays—2

Deeb Smathers

SB 604 was laid on the table.

HB 3443—A bill to be entitled An act relating to Chapter 665, Florida Statutes, and the "Savings Association Act"; amending Section 665.051(4), Florida Statutes, to provide that an association may change the location of a branch office upon application to and on approval by the department in accordance with procedures presently provided in that section for change of name or for change of location of a home office; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 3443 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Gordon	McClain	Stolzenburg
Barron	Graham	Myers	Sykes
Brantley	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Poston	Ware
Firestone	Johnston	Saunders	Weber
Gallen	Lane (31st)	Saylor	Wilson
Gillespie	Lane (23rd)	Sims	Winn
Glisson	Lewis	Smathers	Zinkil

Nays—None

Consideration of HB 4018 was deferred.

HB 4017—A bill to be entitled An act relating to environmental control, chapter 403, Florida Statutes; amending §403.201(1), Florida Statutes, to allow variances granted pursuant to part II of chapter 403 to extend for the life of the permit; amending §403.511, Florida Statutes, to allow variances as conditions of certification of power plant sites; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4017 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Graham	Plante	Vogt
Brantley	Gruber	Poston	Ware
Childers	Henderson	Saylor	Weber
de la Parte	Johnson	Scarborough	Wilson
Firestone	Johnston	Sims	Winn
Gallen	Lewis	Smathers	Zinkil
Gillespie	Myers	Stolzenburg	
Glisson	Peterson	Sykes	
Gordon	Pettigrew	Trask	

Nays—None

SB 929 was laid on the table.

HB 1836—A bill to be entitled An act relating to the placement of children; providing for participation in and enactment of the Interstate Compact on the Placement of Children; providing definitions; providing conditions of placement between participating states; providing penalty for illegal placement; providing retention of jurisdiction; providing institutional care of delinquent children; providing for a compact administrator; providing for limitations of the compact; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 1836 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Gordon	Myers	Sykes
Barron	Graham	Peterson	Trask
Brantley	Gruber	Pettigrew	Vogt
Childers	Henderson	Plante	Ware
Deeb	Johnson	Poston	Weber
de la Parte	Johnston	Saylor	Wilson
Firestone	Lane (31st)	Scarborough	Winn
Gallen	Lane (23rd)	Sims	Zinkil
Gillespie	Lewis	Smathers	
Glisson	McClain	Stolzenburg	

Nays—None

HB 3016—A bill to be entitled An act relating to blind and disabled persons; amending §413.08(4), Florida Statutes, 1973, and adding a subsection; providing that it is a misdemeanor of the second degree for any person or any employer to discriminate against any blind, visually handicapped, or otherwise physically disabled person on the basis of the disability alone in housing accommodations or in employment, unless the disability involved prevents satisfactory performance of the work involved; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 3016 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Plante	Vogt
Firestone	Johnston	Poston	Weber
Gallen	Lane (31st)	Saylor	Wilson
Gillespie	Lane (23rd)	Scarborough	Winn
Glisson	Lewis	Sims	Zinkil
Gordon	McClain	Smathers	

Nays—None

SB 412 was laid on the table.

SB 833 was taken up and on motion by Senator Graham—

HB 2894—A bill to be entitled An act relating to manpower; creating part VI of chapter 13, Florida Statutes; establishing the state manpower services council within the department of commerce and providing for its membership, duties, organization, and staff; establishing regional manpower planning districts and regional manpower planning advisory boards and providing for their membership and duties; authorizing comprehensive regional planning councils created under chapter 160 and chapter 163, Florida Statutes, to review plans developed by regional manpower planning advisory boards; providing an appropriation; providing an effective date.

—a similar measure was substituted therefor. On motions by Senator Graham, by two-thirds vote HB 2894 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Ware
Firestone	Lane (31st)	Saylor	Weber
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil

Nays—None

SB 833 was laid on the table.

On motion by Senator Graham, HB 3942 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

SB 630 was taken up and on motion by Senator Graham—

HB 3942—A bill to be entitled An act relating to the state university system amending Section 240.042 providing for ownership and exploitation of trademarks, copyrights and patents developed in the University system; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Graham, by two-thirds vote HB 3942 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Graham	Myers	Sykes
Brantley	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Plante	Ware
de la Parte	Johnston	Poston	Weber
Firestone	Lane (31st)	Sayler	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	

Nays—None

SB 630 was laid on the table.

SB 263—A bill to be entitled An act relating to agreements to provide care for life or for a term of years; amending §651.02(4), Florida Statutes, redefining "person"; amending §651.05(2), (3), and (6), Florida Statutes, changing requirements for applications for certificates of authority and renewals thereof; creating §651.072, Florida Statutes, providing that waivers of the provisions of chapter 651 are invalid; creating §651.074, Florida Statutes, prescribing disclosure requirements; creating §651.076, Florida Statutes, providing for annual statements to transferors or nominees; creating §651.115, Florida Statutes, providing a civil action for damages and for triple damages; amending §651.12, Florida Statutes, providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote SB 263 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Gruber	Pettigrew	Vogt
Brantley	Henderson	Plante	Ware
Childers	Johnson	Poston	Weber
Deeb	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	
Graham	Peterson	Trask	

Nays—None

SB 281 was taken up and on motion by Senator Myers—

HB 2666—A bill to be entitled An act relating to developmentally disabled persons; providing extended employment; providing definitions; providing for expenditures; providing for maintenance of register of qualified nonprofit employment organizations; providing for determination of developmental disability; providing for exclusion of support circumstances; providing for promulgation of reasonable rules and regulations; providing an effective date.

—a companion measure was substituted therefor. On motion by Senator Myers, by two-thirds vote HB 2666 was read the second time by title.

Senator Myers moved the following amendment which was adopted:

Amendment 1—On page 3, lines 28 and 29, and page 4, lines 1 and 2 strike entire paragraph (2)

On motion by Senator Myers, by two-thirds vote HB 2666 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Glisson	Lewis	Trask
Barron	Gordon	McClain	Vogt
Brantley	Graham	Myers	Ware
Childers	Gruber	Peterson	Weber
Deeb	Henderson	Pettigrew	Williams
de la Parte	Johnson	Plante	Wilson
Firestone	Johnston	Poston	Winn
Gallen	Lane (31st)	Sayler	Zinkil
Gillespie	Lane (23rd)	Sykes	

Nays—None

By unanimous consent Senator Smathers was recorded as voting yea.

SB 281 was laid on the table.

HB 2346—A bill to be entitled An act relating to public officers and employees, commission on ethics; creating §§112.320, 112.321, 112.322, 112.323, 112.324, and 112.325, all Florida Statutes; establishing a commission on ethics for officers and employees of state and local agencies; providing for its membership, duties, and powers; providing for staff; authorizing payment of travel expenses to members; providing for the enforcement of ethical standards; providing procedures; providing penalties; repealing §§112.315, 112.317, and 112.318, Florida Statutes, relating to advisory opinions by attorney general, penalties for violation of part III, chapter 112, Florida Statutes, and procedures on complaints of violation; providing an effective date.

—was read the second time by title.

Senators Ware and Sayler offered the following amendment which was moved by Senator Ware and adopted:

Amendment 1—On page 2, strike lines 2 through 9 and insert: (1) The commission shall be composed of the following nine members. Five of these members shall be appointed by the governor after considering the various major political parties and their representation within the state, subject to confirmation by the senate. At least one of the members appointed by the governor shall be a retired circuit or appellate judge. Two members shall be appointed by the speaker of the house, one each from the major political parties and two members shall be appointed by the president of the senate, one each from the major political parties. No member may be a state or

Senator Sayler moved the following amendments which were adopted:

Amendment 2—On page 5, line 17 strike "The penalty for any" and insert: Any and line 19 after "be" insert: grounds for

Amendment 3—On page 5, line 24, strike "upon becoming law" and insert: October 1, 1974

On motion by Senator Lane (31st), by two-thirds vote HB 2346 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Sykes
Brantley	Graham	Myers	Trask
Childers	Gruber	Peterson	Vogt
Deeb	Henderson	Pettigrew	Ware
de la Parte	Johnson	Plante	Weber
Firestone	Johnston	Poston	Wilson
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	

Nays—None

HB 1078—A bill to be entitled An act relating to the Farm Labor Registration Law; amending §450.28(1), Florida Statutes, to clarify the definition of farm labor contractor and the exclusions from said definitions; repealing §450.29, Florida Statutes, which relates to exclusions from said law; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 1078 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Glisson	McClain	Sykes
Barron	Gordon	Myers	Trask
Brantley	Graham	Peterson	Vogt
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Plante	Weber
de la Parte	Johnson	Poston	Wilson
Firestone	Johnston	Sims	Winn
Gallen	Lane (23rd)	Smathers	Zinkil
Gillespie	Lewis	Stolzenburg	

Nays—None

On motion by Senator Barron, the rules were waived and time of adjournment was extended until 1:00 p.m.

SB 462—A bill to be entitled An act relating to the fire fighters bargaining act; amending §447.30, Florida Statutes, 1972 Supplement; providing that the majority decision of the arbiters after an arbitration board hearing between fire fighters and their employing authority is binding on both parties; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendment which was moved by Senator Zinkil and adopted:

Amendment 1—On page 2, line 14, strike the “.” and insert: *in all issues other than wages and hours of employment.*

On motion by Senator Zinkil, by two-thirds vote SB 462 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—29

Mr. President	Gordon	McClain	Ware
Brantley	Graham	Myers	Weber
Childers	Gruber	Pettigrew	Winn
Deeb	Henderson	Poston	Zinkil
de la Parte	Johnson	Sims	
Firestone	Johnston	Smathers	
Gillespie	Lane (23rd)	Sykes	
Glisson	Lewis	Vogt	

Nays—3

Peterson	Plante	Stolzenburg
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By unanimous consent Senator Gallen was recorded as voting yea.

HB 3040—A bill to be entitled An act relating to insurance; amending section 627.331(1), Florida Statutes, 1973 Supplement; providing that none of the provisions of section 627.331, Florida Statutes, shall be construed as prohibiting the department from requiring all insurers licensed to write insurance covering a motor vehicle, as defined in section 324.021, to report their loss and expense experience to the department in a manner that is in conformity with a statistical plan or plans adopted by the department; providing an effective date.

—was read the second time by title. On motion by Senator Gillespie, by two-thirds vote HB 3040 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	Gordon	Myers	Stolzenburg
Brantley	Graham	Peterson	Sykes
Childers	Gruber	Pettigrew	Vogt
Deeb	Henderson	Plante	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Lane (23rd)	Sayler	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	

Nays—None

By unanimous consent Senators Johnston and Gallen were recorded as voting yea.

HB 608—A bill to be entitled An act relating to insurance; amending section 624.610(1), Florida Statutes; providing that no insurer shall cede or retrocede credit life, credit disability or both credit life and credit disability insurance with an insurer not authorized to do business in Florida; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 608 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Gordon	Myers	Sykes
Brantley	Graham	Peterson	Vogt
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Plante	Weber
de la Parte	Johnson	Poston	Winn
Firestone	Lane (23rd)	Sims	
Gallen	Lewis	Smathers	
Gillespie	McClain	Stolzenburg	

Nays—1

Glisson

By unanimous consent Senator Johnston was recorded as voting yea.

CS for HB 2751—A bill to be entitled An act relating to search warrants; amending subsection (6) of section 933.18, Florida Statutes, 1973, to include evidence relevant to proving a felony has been committed; amending paragraph (a) of subsection (2) of section 933.02, Florida Statutes, 1973, to include evidence relevant to proving a felony has been committed as a grounds for issuance of a search warrant; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote CS for HB 2751 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Glisson	Myers	Sykes
Barron	Gordon	Peterson	Vogt
Brantley	Graham	Pettigrew	Ware
Childers	Gruber	Plante	Weber
Deeb	Henderson	Poston	Wilson
de la Parte	Johnson	Sayler	Zinkil
Firestone	Lane (23rd)	Sims	
Gallen	Lewis	Smathers	
Gillespie	McClain	Stolzenburg	

Nays—None

By unanimous consent Senator Johnston was recorded as voting yea.

HB 2684—A bill to be entitled An act relating to honey; amending Section 586.02, Florida Statutes, by creating subsection (3) of section 586.02, Florida Statutes, defining honey; amending section 586, Florida Statutes, by creating section 586.051, Florida Statutes, making it unlawful to label, sell or advertise any product under the name of honey unless it is actually honey; providing an effective date.

—was read the second time by title.

The Committee on Consumer Affairs offered the following amendment which was moved by Senator Lewis and adopted:

Amendment 1—On page 2, strike lines 7 and 8 and insert: Section 3. This act shall take effect on October 1, 1974.

On motion by Senator Lewis, by two-thirds vote HB 2684 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gordon	Myers	Sykes
Brantley	Graham	Peterson	Vogt
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Plante	Weber
de la Parte	Johnson	Poston	Wilson
Firestone	Lane (31st)	Sayler	Winn
Gallen	Lane (23rd)	Sims	Zinkil
Gillespie	Lewis	Smathers	
Glisson	McClain	Stolzenburg	

Nays—None

Senator Firestone presiding

CS for HB 661—A bill to be entitled An act relating to hotels and restaurants; amending Section 509.151, Florida Statutes, 1973, to limit its applicability to transient occupancy, to provide that anyone who obtains food, lodging, or other accommodations at certain public lodging or food service establishments with intent to defraud where the food, lodging, or accommodations have a value of less than one hundred dollars (\$100) shall be guilty of a misdemeanor of the second degree, but if the value is one hundred dollars (\$100) or more the person shall be guilty of a felony of the third degree; providing for arrest without warrant in misdemeanor cases; providing legislative intent; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice offered the following amendments which were moved by Senator Winn and adopted:

Amendment 1—On page 2, lines 14—17, strike "*Any law enforcement officer may arrest without warrant for a misdemeanor violation of this section if he has reasonable grounds to believe that the person to be arrested has committed the violation.*"

Amendment 2—On page 1 in title, lines 16—17, strike "providing for arrest without warrant in misdemeanor cases"

On motion by Senator Winn, by two-thirds vote CS for HB 661 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Childers	Gordon	Myers	Sykes
Deeb	Graham	Peterson	Trask
de la Parte	Gruber	Poston	Vogt
Firestone	Johnson	Sayler	Weber
Gallen	Lane (31st)	Sims	Wilson
Gillespie	Lane (23rd)	Smathers	Winn
Glisson	McClain	Stolzenburg	Zinkil

Nays—2

Henderson Lewis

On motion by Senator Graham, unanimous consent was obtained to take up out of order—

CS for HB 3767—A bill to be entitled An act relating to the environmental land and water management act; providing for the applicability of development principles adopted under 380.05(1)(b); providing for binding; providing for interpretation on development of regional impact; providing for determining vesting of rights; providing for hearings by local government on applications for developments of regional impact only after the regional planning agency certifies that the application contains sufficient information or written notice is received

that the requested information will not be supplied; providing procedures for determining the sufficiency of such information; providing that notice of such hearings shall be given sixty days in advance by local government; providing for a decision on the application within thirty days, unless an extension is requested by the developer; extending period within which the regional planning agency shall prepare its report and recommendations; providing for joint public hearings on developments of regional impact; providing for joint review of comprehensive development of regional impact applications where two or more developments of regional impact are involved; providing for one public hearing on such applications at the discretion of the developer; providing for enforcement; amending paragraph (b) of §380.05(1), paragraph (a) of §380.06(4), §380.06(7) and §380.06(8) and (12), Florida Statutes; creating §§380.06(13) and 380.11, Florida Statutes; providing an effective date.

—which was read the second time by title.

The committee on Natural Resources and Conservation offered the following amendments which were moved by Senator Graham and adopted:

Amendment 1—On page 2, line 21, after the word "*undertaken*" insert: *subsequent to the designation of the area of critical state concern but*

Amendment 2—On page 3, strike all of line 27 and insert: *at the next scheduled meeting.*

Amendment 3—On page 6, lines 13—18, strike "For the purpose of this act the conveyance or agreement to convey property to the county, state or local government as a prerequisite to zoning change approval shall be construed as an act of reliance to vest right as determined under this subsection, provided such zoning change is actually granted by such government." and insert: *For the purpose of this act the conveyance or agreement to convey property to the county, state or local government as a prerequisite to zoning change approval shall be construed as an act of reliance to vest right as determined under this subsection, provided such zoning change is actually granted by such government.*

On motion by Senator Graham, by two-thirds vote CS for HB 3767 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Childers	Gruber	Peterson	Trask
de la Parte	Henderson	Pettigrew	Vogt
Firestone	Johnson	Poston	Ware
Gallen	Lane (31st)	Sayler	Weber
Gillespie	Lane (23rd)	Sims	Wilson
Glisson	Lewis	Smathers	Winn
Gordon	McClain	Stolzenburg	
Graham	Myers	Sykes	

Nays—None

The President presiding

On motion by Senator Childers, unanimous consent was obtained to take up out of order—

HB 4175—A bill to be entitled An act to amend section 20.27, Florida Statutes, to add subsection (4) thereto to reorganize the State of Florida board of trustees of the internal improvement trust fund; providing an effective date if environmental agencies are not reorganized.

—which was read the second time by title. On motion by Senator Childers, by two-thirds vote HB 4175 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Gruber	Pettigrew	Trask
Childers	Henderson	Poston	Vogt
de la Parte	Johnson	Sayler	Ware
Firestone	Lane (23rd)	Scarborough	Weber
Gallen	Lewis	Sims	Winn
Gillespie	McClain	Smathers	
Glisson	Myers	Stolzenburg	
Gordon	Peterson	Sykes	

Nays—None

On motion by Senator Childers, unanimous consent was obtained to take up out of order—

CS for HB 3450—A bill to be entitled An act relating to saltwater fisheries and conservation; amending the introductory paragraph and paragraph (e) of §370.11(3), Florida Statutes, 1973, shortening the period during which no person may prevent shad from spawning; changing the requirement that commercial fishing nets be removed from the water for seventy-two (72) hours per week; prohibiting any boat from containing more than one thousand (1,000) yards of gill nets of any kind for the taking of shad; relating to crawfish; amending §370.14(3)(f), Florida Statutes, 1973, and adding a new section 2; providing a crawfish bag limit; creating a sports fisherman's crawfish season; providing an effective date.

On motions by Senator Childers, by two-thirds vote CS for HB 3450 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President	Gordon	Pettigrew	Trask
Barron	Gruber	Poston	Vogt
Childers	Johnson	Sayler	Ware
de la Parte	Lane (23rd)	Scarborough	Weber
Firestone	Lewis	Sims	Winn
Gallen	McClain	Smathers	Zinkil
Gillespie	Myers	Stolzenburg	
Glisson	Peterson	Sykes	

Nays—None

Consideration of HB 3839 was deferred.

CS for HB 2235—A bill to be entitled An act relating to veterans; amending §295.02, Florida Statutes, 1972 Supplement, relating to funds for the payment of fees for children of certain veterans attending certain schools in the state; amending §295.04, Florida Statutes, 1971, to remove the dollar limitation on certain benefits provided for the children of veterans who attend certain schools in the state; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote CS for HB 2235 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Henderson	Pettigrew	Sykes
Barron	Johnson	Poston	Trask
Firestone	Johnston	Sayler	Ware
Gallen	Lane (23rd)	Scarborough	Winn
Glisson	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil
Gruber	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

HB 1990—A bill to be entitled An act relating to veterans; requiring state funded or supported vocational training centers, vocational-technical schools, and vocational programs to give certain preferences for acceptance and admission to persons who served in the armed forces of the United States at any time during the period August 4, 1964, to January 27, 1973; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote HB 1990 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Gillespie	Johnson	Peterson
Barron	Glisson	Johnston	Pettigrew
de la Parte	Gordon	Lane (23rd)	Poston
Firestone	Gruber	Lewis	Sayler
Gallen	Henderson	McClain	Scarborough

Sims	Sykes	Wilson	Zinkil
Smathers	Trask	Winn	
Stolzenburg	Ware		

Nays—None

CS for HB 3412—A bill to be entitled An act relating to fraudulent practices; amending section 817.52(3), Florida Statutes, 1973, changing the penalty for failure to redeliver a hired motor vehicle from a misdemeanor of the second degree to a felony of the third degree; removing provision relating to prima facie evidence of fraudulent intent; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote CS for HB 3412 was read the third time by title, passed and certified to the House. The vote was:

Yeas—25

Mr. President	Gruber	Pettigrew	Ware
de la Parte	Johnson	Poston	Wilson
Firestone	Johnston	Sayler	Winn
Gallen	Lane (23rd)	Sims	Zinkil
Gillespie	Lewis	Stolzenburg	
Glisson	McClain	Sykes	
Gordon	Peterson	Trask	

Nays—2

Henderson Smathers

SB 947 was laid on the table.

SB 618 was taken up and on motion by Senator Wilson—

CS for HB 3280—A bill to be entitled An act relating to county government; amending §125.01(1)(q) and (r) and (2), Florida Statutes, 1973, and adding new subsections (5) and (6), and amending §200.071(3), Florida Statutes, 1973; authorizing the governing body of any county to create municipal services and taxing units in the unincorporated areas and special purpose districts in both unincorporated and incorporated areas of the county under certain circumstances; authorizing the governing body of the county to levy ad valorem taxes within certain municipal service taxing and benefit units under certain circumstances; amending Section 200.071(3) to authorize the levy of ad valorem taxes within such municipal service taxing units within the limits permitted for municipal purposes; providing that any special district created within and without incorporated areas may be composed of representatives of both municipal and county governing bodies; authorizing county governing bodies to develop mechanisms for financing certain services provided in unincorporated areas under certain circumstances; providing petitions and procedures; providing the effective date.

—a companion measure was substituted therefor. On motions by Senator Wilson, by two-thirds vote CS for HB 3280 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Henderson	Peterson	Sykes
Barron	Johnson	Pettigrew	Vogt
de la Parte	Johnston	Poston	Ware
Firestone	Lane (23rd)	Sayler	Weber
Gallen	Lewis	Scarborough	Wilson
Gillespie	McClain	Sims	Winn
Gruber	Myers	Stolzenburg	Zinkil

Nays—3

Glisson Smathers Trask

On motion by Senator Gillespie, the Senate reconsidered the vote by which—

CS for HB 3412—A bill to be entitled An act relating to fraudulent practices; amending section 817.52(3), Florida Statutes, 1973, changing the penalty for failure to redeliver a hired motor vehicle from a misdemeanor of the second degree to a

felony of the third degree; removing provision relating to prima facie evidence of fraudulent intent; providing an effective date.

—passed this day.

Senator Ware moved the following amendment which was adopted by two-thirds vote:

Amendment 1—On page 1, line 24, strike “or neglect” and insert: ~~or neglect~~

On motion by Senator Gillespie, CS for HB 3412 as amended was read by title, passed and certified to the House. The vote was:

Yeas—24

Mr. President	Johnson	Pettigrew	Stolzenburg
Firestone	Johnston	Poston	Sykes
Gallen	Lane (23rd)	Sayler	Ware
Gillespie	Lewis	Scarborough	Weber
Gordon	McClain	Sims	Winn
Gruber	Peterson	Smathers	Zinkil

Nays—3

de la Parte Glisson Henderson

On motion by Senator Vogt, unanimous consent was obtained to take up SB 780 out of order, and on motion by Senator Vogt—

HB 4016—A bill to be entitled An act relating to claims against the state; amending §768.28(9), Florida Statutes, as created by chapter 73-313, Laws of Florida; providing for the inclusion of agents as persons who shall not be personally liable for certain acts; providing that the state shall pay monetary judgments within certain limitations which are rendered in civil actions personally against an officer, employee, or agent of the state; repealing sections 2 and 3 of chapter 73-313, Laws of Florida, appearing as §768.29, Florida Statutes; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator Vogt moved the following amendments which were adopted:

Amendment 1—On page 2, line 12, strike “This act shall take effect January 1, 1975.” and insert: Section 4 of chapter 73-313, Laws of Florida, appearing as section 768.30, Florida Statutes, is amended to read:

768.30 Effectiveness.—Sections 768.28 and 768.29 shall take effect July 1, 1974 for the executive departments of the state. For all other agencies and subdivisions of the state, it shall take effect January 1, 1975, and shall apply only to incidents occurring on or after those dates.

Section 4. This act shall take effect July 1, 1974.

Amendment 2—On page 2, line 12, strike “This act shall take effect January 1, 1975.” and insert: Section 284.31, Florida Statutes, is amended to read:

284.31 Scope and types of coverages; separate accounts.—The insurance risk management trust fund shall, unless specifically excluded by the department of insurance, cover all departments of the state of Florida, their employees, agents, and other authorized persons and shall provide separate accounts for workmen’s compensation, general liability, and fleet automotive liability insurance coverages. All departments of the state shall be covered by the fund unless specifically excluded by the department of insurance.

Section 4. Section 284.34, Florida Statutes, is amended to read:

284.34 Professional medical liability of the board of regents.—~~Medical malpractice and nuclear energy liability excluded.~~—No coverages shall be provided by this fund for professional medical liability insurance for the board of regents, the physicians, officers, employees, or agents of the board ~~malpractice~~ or liability related in any way with nuclear energy.

Section 5. Section 284.40, Florida Statutes, is amended to read:

284.40 Division of risk management.—

(a) There is hereby created a division of risk management in the department of insurance. It shall be the responsibility of the division to administer this part and the provisions of section 287.131. The insurance purchasing function shall continue to be administered in accordance with the provisions of section 877.022.

(b) *The claim files maintained by the division of risk management shall be considered privileged and confidential and shall be only for the usage by the department of insurance in fulfilling its duties and responsibilities under this part.*

Section 6. This act shall take effect on July 1, 1974.

Amendment 3—On page 2, line 12, strike “This act shall take effect January 1, 1975.” and insert: The department of health and rehabilitative services is hereby authorized to expend from its general revenue appropriation sums sufficient to compensate an officer, employee, or agent who has been held to be personally liable for the payment of a judgment rendered in a civil action arising as a result of any act, event, or omission of action within the scope of his employment or function, such compensation to be in an amount equal to the amount of the judgment for which he is liable.

Section 4. This act shall take effect July 1, 1974.

Amendment 4—On page 1, line 15, strike “providing an effective date.” and insert: amending section 4 of chapter 73-313, Laws of Florida, appearing as section 768.30, Florida Statutes, changing the effectiveness date; providing an effective date.

Amendment 5—On page 1, line 15, strike “providing an effective date.” and insert: amending sections 284.31, 284.34, and 284.40, Florida Statutes; providing that the insurance risk management trust fund shall cover the employees, agents or other authorized persons of the department of the state of Florida; removing the prohibition that the fund cannot provide coverages for medical malpractice insurance; prohibiting the fund from providing any professional medical liability insurance for the board of regents, the physicians, officers, employees or agents of the board; providing that the claim files of the division of risk management of the department of insurance shall be privileged and confidential; providing an effective date.

Amendment 6—On page 1, line 15, strike “providing an effective date.” and insert: authorizing the department of health and rehabilitative services to compensate certain officers, employees, or agents for personal liability for payment of judgments arising out of their employment; providing an effective date.

On motion by Senator Vogt, by two-thirds vote HB 4016 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Gruber	Peterson	Trask
Barron	Henderson	Pettigrew	Vogt
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Sayler	Winn
Gallen	Lane (23rd)	Scarborough	Zinkil
Gillespie	Lewis	Sims	
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	

Nays—None

SB 780 was laid on the table.

On motion by Senator Myers, unanimous consent was obtained to take up out of order—

CS for HB 3732—A bill to be entitled An act relating to the department of professional and occupational regulation; setting forth legislative findings and intent; adding subsections (13), (14) and (15) to §20.30, Florida Statutes, 1973, providing for the establishment of continuing education programs by all

boards and commissions within the department; providing for the licensing of an applicant who has been licensed under the laws of a foreign country; providing for the method of issuing a license; providing an effective date.

—which was read the second time by title. On motion by Senator Myers, by two-thirds vote CS for HB 3732 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Johnson	Pettigrew	Sykes
Firestone	Johnston	Poston	Trask
Gallen	Lane (23rd)	Sayler	Vogt
Gillespie	Lewis	Scarborough	Weber
Gordon	McClain	Sims	Wilson
Gruber	Myers	Smathers	Winn
Henderson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senators de la Parte and Graham were recorded as voting yea.

On motion by Senator Gillespie, the Senate reconsidered the vote by which—

CS for HB 671—A bill to be entitled An act relating to domestic relations, husband and wife; amending §§741.01, 741.02, 741.03, 741.04, 741.05, 741.051, 741.053, 741.057, 741.058, 741.0591, 741.0592, 741.07, 741.08, 741.09, 741.10, and 382.24, Florida Statutes, 1973, relating to the issuance of marriage licenses, to fees, records, and penalties related thereto, and to persons authorized to solemnize matrimony; authorizing clerks of the circuit courts to issue marriage licenses and perform marriages; increasing the fee for receiving an application for issuance of a marriage license; providing for the transmission of the additional fee authorized by §741.02, Florida Statutes, to the bureau of vital statistics; providing an effective date.

—passed this day.

Senator Gillespie moved the following amendments which were adopted by two-thirds vote:

Amendment 1—On page 7, between lines 22 and 23, insert: Section 2. Chapter 74-3, Laws of Florida, is hereby repealed. (Renumber subsequent section.)

Amendment 2—On page 1, line 18, after the semicolon (;) insert: repealing chapter 74-3, Laws of Florida, relating to issuance of marriage licenses by county court clerks;

On motion by Senator Gillespie, CS for HB 671 as amended was read by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Gruber	Poston	Ware
Deeb	Henderson	Sayler	Weber
de la Parte	Johnson	Scarborough	Wilson
Firestone	Johnston	Sims	Winn
Gallen	Lane (23rd)	Smathers	Zinkil
Gillespie	Lewis	Sykes	
Glisson	McClain	Trask	
Gordon	Peterson	Vogt	

Nays—None

SB 739 was taken up, together with a committee substitute by the Committee on Criminal Justice, and on motion by Senator Vogt—

CS for HB's 3659, 3763 and 3879—A bill to be entitled An act relating to handicapped persons, providing definitions; prohibiting certain business establishments from obstructing common or emergency entrances and exits; providing exemptions; providing a penalty; providing an effective date.

—a companion measure was substituted therefor. On motion by Senator Vogt, by two-thirds vote CS for HB's 3659, 3763 and 3879 was read the second time by title.

Senator Vogt moved the following amendment which was adopted:

Amendment 1—On page 1, line 28, strike (ANSI A11.1). and insert: (ANSI A117.1).

On motion by Senator Vogt, by two-thirds vote CS for HB's 3659, 3763 and 3879 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—26

Mr. President	Gruber	Peterson	Vogt
Childers	Henderson	Pettigrew	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Lane (23rd)	Sayler	Wilson
Gallen	Lewis	Sims	Winn
Gillespie	McClain	Sykes	
Gordon	Myers	Trask	

Nays—1

Glisson

SB 739 and the committee substitute were laid on the table.

Conference Committee on CS for SB 724

The President announced the appointment of Senators Graham, Smathers, Peterson and Glisson as conferees on CS for SB 724.

On motion by Senator Firestone, the Senate reconsidered the vote by which—

CS for HB's 3659, 3763 and 3879—A bill to be entitled An act relating to handicapped persons, providing definitions; prohibiting certain business establishments from obstructing common or emergency entrances and exits; providing exemptions; providing a penalty; providing an effective date.

—as amended passed this day.

Senator Firestone moved the following amendments which were adopted by two-thirds vote:

Amendment 2—On page 2, line 8, strike "act" and insert: section

Amendment 3—On page 2, between lines 10 and 11, insert: Section 2. Building classifications.—

(1) For the purposes of this act, the following classifications are adopted:

(a) Group A and B occupancy: Theaters, auditoriums, motion picture houses, exhibition halls, skating rinks, gymnasiums, poolrooms, night clubs, meeting rooms, passenger rooms, recreation piers, and all other similar uses.

(b) Group C and D occupancy: All schools, jails, prisons, reformatories, asylums, and all other similar uses.

(c) Group F and G occupancy: Warehouses, storage buildings, freight depots, public garages, gasoline service stations, aircraft hangars, retail stores, shops, sales rooms, markets, office buildings, banks, civic administration buildings, telephone exchanges, museums, art galleries, libraries, and all other similar uses.

(d) Group H and I occupancy: Hotels, motels, apartment hotels, apartment houses, bungalow courts, rooming houses, dormitories, fraternity houses, sorority houses, monasteries, single family and duplexes, and all other similar uses.

(2) This is to mean that all buildings defined as new buildings by this act that the general public may frequent, live in or work at shall be made accessible as set forth in this act.

Section 3. Accessibility of new buildings—

(1) For the purposes of this act a new building shall be considered to be one which is not under construction contract at the time of the effective date of this act.

(2) All new buildings as defined in this act, except single-family dwellings, which the general public may frequent, live in or work at, shall be made accessible as required in this section.

(a) Paths shall be provided for the physically disabled or handicapped and shall be unobstructed, devoid of curbs, stairs, or other abrupt changes in elevation.

(b) Ramps, where provided along such paths, shall slope not more than one inch vertically in twelve inches horizontally, or four degrees and fifty minutes.

(c) Corridors, included in such paths, shall be not less than forty-four inches between walls.

(d) Walk through swinging doors shall be not less than thirty-two inches in width, where single.

(e) All other walk through openings shall provide not less than twenty-nine inches in clear width.

(f) Accessibility to such buildings shall be provided from rights-of-way and parking areas by means of curb-cuts, ramps, or both, to at least one entrance generally used by the public and from such entrance to elevators, where provided.

(g) Accessibility may be provided in such buildings through at least one of the required means of entrance to each floor and at ground level.

(h) All restrooms shall be accessible, and each shall be provided with at least one accessible toilet stall complying with the standard set forth in subsection (1) of section 3 of this act. Access to such restrooms shall be marked by similar signs or symbols in all cases where the accessible restrooms are not immediately visible from all public areas on each floor.

(i) Restroom vestibules providing screens or a series of doors shall have an unobstructed width of not less than four feet and unobstructed length of not less than five feet.

(j) Restrooms made accessible shall provide an unobstructed passage forty-four inches wide for wheelchairs to approach accessible toilet facilities and a space not less than five by five feet for one hundred eighty degree turns.

(k) Elevator car controls used by the public shall have figures and letters at least one-half inch high raised at least .025 inches with square edges as well as adjacent Braille symbols for identification by the blind.

(l) Every floor level shall have figures at least .025 inches with square edges located five feet above the floor on the right jamb of elevator entrances as well as adjacent Braille symbols for the blind.

(m) Abrupt changes in level at doorways to such restrooms shall be ramped.

(n) The standard "Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped", of the American National Standards Institute, ANSI A117.1, is hereby adopted and the mandatory requirements therein as well as those set forth in this section, shall be complied with.

(3) The following exceptions shall apply to the features required of new buildings under this section, provided however, that nothing in this subsection shall be construed to prohibit incorporation of the features required in subsection (2) above in any building exempted in this subsection:

(a) In building maintenance and storage areas, where only employees have occasion to enter and the work within such areas cannot reasonably be performed by the handicapped, the provisions of this act need not apply unless such areas provide the only path between areas normally used by the handicapped.

(b) Groups F and G occupancies: Buildings with five thousand square feet or less per floor, having accessibility at habitable grade levels, shall not be required to comply with the provisions of this act at floors above such levels except where an elevator is provided.

(c) Group H occupancies: Two story and three story buildings with less than forty-nine units, having accessibility at habitable grade levels, shall not be required to comply with the provisions of this act at floors above such levels except where an elevator is provided.

(d) Within living units, hallways having no walk through openings in the sidewalls may be less than forty-four inches wide but shall not be less than thirty-six inches wide.

(e) Within living units, toilet rooms providing thirty-two inch passage need not comply with the provisions of section 2 of this act, except as set forth in paragraphs (d) and (e) of subsection (2) of section 2 of this act.

(f) Single-family dwellings shall be exempted from this act.

(Renumber subsequent section.)

Amendment 4—On page 1, line 7, after the semi-colon insert: providing for building classifications; providing for the accessibility of new buildings to physically handicapped persons; providing exceptions;

Senator Pettigrew moved the following amendment which was adopted:

Amendment 5—On page 2, line 9, strike "after punishable balance of sentence" and insert: only by fine as provided in F.S., 775.083.

On motion by Senator Firestone, CS for HB's 3659, 3763 and 3879 as further amended was read by title, passed and certified to the House. The vote was:

Yeas—25

Mr. President	Henderson	Poston	Trask
de la Parte	Johnson	Saylor	Ware
Firestone	Lane (23rd)	Scarborough	Winn
Gallen	Lewis	Sims	Zinkl
Gillespie	McClain	Smathers	
Glisson	Peterson	Stolzenburg	
Gruber	Pettigrew	Sykes	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

On motion by Senator Deeb, HB 3534 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

SB 790 was taken up and on motion by Senator Deeb—

HB 3534—A bill to be entitled An act relating to pool contractors; amending the introductory paragraph and paragraph (j) of §468.102(1), Florida Statutes, and adding paragraphs (k) and (l) thereto; adding swimming pool work to those items which a contractor shall sub-contract; providing for a delineation between commercial pool contractors and residential pool contractors; providing for a classification of swimming pool servicing contractor; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator Deeb moved the following amendment which was adopted:

Amendment 1—On pages 1 and 2, lines 32 and 1, strike on page 1, the word "and" on line 32 and on page 2, the words "swimming pool" on line 1

On motion by Senator Deeb, by two-thirds vote HB 3534 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Gruber	Peterson	Sykes
Barron	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Lane (31st)	Saylor	Ware
Firestone	Lane (23rd)	Scarborough	Weber
Gillespie	Lewis	Sims	Wilson
Gordon	McClain	Stolzenburg	Winn

Nays—4

de la Parte	Gallen	Glisson	Smathers
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SB 790 was laid on the table.

On motion by Senator Saylor, the Senate reconsidered the vote by which—

HB 4144—A bill to be entitled An act relating to the blind and severely handicapped; providing definitions; creating a council within the department of general services for the purchase of products and services of the blind and other severely handicapped; providing for membership of the council providing powers and duties of the council requiring state agencies to procure products and services of the blind and other severely handicapped from certain nonprofit agencies; providing for cooperation between the council and state agencies; requiring an annual report by the council to governor and the legislature; prohibiting evasion of the intent of the act by a state agency; providing a penalty; providing an effective date.

—passed this day.

Senators Saylor and Lewis offered the following amendments which were moved by Senator Saylor and adopted by two-thirds vote:

Amendment 1—On page 6, line 10, strike "The provisions of the law to the contrary notwithstanding if" and insert: If

Amendment 2—On page 7, line 23, strike all of Section 8. and renumber

Amendment 3—On page 1, strike on line 10 "requiring" and on line 17 "providing a penalty;" and insert: on line 10 authorizing

On motion by Senator Saylor, HB 4144 as amended was read by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	Gruber	Poston	Vogt
Childers	Henderson	Saylor	Ware
de la Parte	Johnson	Scarborough	Weber
Firestone	Lane (23rd)	Sims	Williams
Gallen	Lewis	Smathers	Wilson
Gillespie	McClain	Stolzenburg	Winn
Glisson	Pettigrew	Sykes	Zinkil
Gordon	Plante	Trask	

Nays—None

By unanimous consent Senator Peterson was recorded as voting yea.

Senator Sims moved that the Senate reconsider the vote by which HB 3280 passed this day.

HB 3738—A bill to be entitled An act relating to the state library; amending §257.01, Florida Statutes, 1973, reducing the membership of the state library council from thirteen (13) to seven (7); amending §257.02(1), Florida Statutes, 1973, providing terms of office for members of the council; amending §257.04, (2), (3), and (4), Florida Statutes, 1973, and adding new subsections thereto; permitting the council to give financial assistance to libraries; requiring the division of library services of the department of state to maintain a state library, maintain and provide certain services for state agencies and provide library services for the blind and physically handicapped; providing an effective date.

—was read the second time by title. On motion by Senator Williams, by two-thirds vote HB 3738 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Gordon	Peterson	Stolzenburg
Barron	Gruber	Pettigrew	Sykes
Childers	Henderson	Plante	Trask
Firestone	Johnson	Poston	Weber
Gallen	Lane (23rd)	Saylor	Williams
Gillespie	Lewis	Sims	Wilson
Glisson	McClain	Smathers	Zinkil

Nays—None

Senator Firestone presiding.

SB 316 was taken up and on motion by Senator Childers—

HB 1280—A bill to be entitled An act relating to conservation of oil and gas resources; amending §377.28, Florida Statutes, 1971; providing for the unitization and pooling of oil and gas fields after hearing and by order of the department of natural resources; providing definitions; providing for adjustment of cost among property owners; providing for ratification by the owners; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Childers, by two-thirds vote HB 1280 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Childers	Gruber	Pettigrew	Sykes
de la Parte	Henderson	Poston	Trask
Firestone	Johnson	Saylor	Vogt
Gallen	Lane (23rd)	Scarborough	Ware
Gillespie	McClain	Sims	Weber
Glisson	Myers	Smathers	Winn
Gordon	Peterson	Stolzenburg	

Nays—1

Lewis

SB 316 was laid on the table.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 1:05 p.m. to reconvene at 2:00 p.m., this day.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—40:

Mr. President	Gordon	Myers	Stolzenburg
Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil

Excused: Senators Johnson, Brantley, Barron, Lewis and Weber periodically for the purpose of working on a conference committee report.

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS FOR SB 79

Honorable Mallory E. Horne
President of the Senate

May 30, 1974

Honorable T. Terrell Sessums
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on House Amendments 1 and 2 to the Committee Substitute for Senate Bill 79, same being:

An act relating to land transactions; providing that persons or entities holding real property in any form of representative capacity shall make a written public disclosure of every person having a beneficial interest in the real property, however, small or minimal, before the real property held in representative capacity is sold or leased, taken by eminent domain or otherwise conveyed to the state or to any local

governmental unit or agency of either; providing notice of persons required to make disclosure; providing exemptions; providing severability; providing an effective date.

having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the Senate and the House of Representatives concur in House Amendments 1 and 2 to CS/SB 79.
2. That the Senate and the House of Representatives adopt Conference Committee Amendments 1, 2, 3, and 4 to said House Amendment 1, said Conference Committee Amendments attached hereto, and by reference made a part of this report.

MURRAY H. DUBBIN
CARL OGDEN
JOHN C. MALLOY

RALPH R. POSTON
D. ROBERT GRAHAM
PHILIP D. LEWIS

Managers on the part of the House of Representatives Managers on the part of the Senate

Conference Committee Amendment 1 to House Amendment 1—On page 4, line 13, strike "with which the transaction is made. Disclosure shall be made at the time." and insert: with which the transaction is made. Disclosure shall be made 10 days prior to the time of closing in a real property transaction, or 10 days prior to the execution of a negotiated contract. As a prerequisite for the submission of bids for providing commodities or services to the state, a local governmental unit or an agency of either, a bidder shall have on file with the appropriate governmental unit or agency with which the transaction shall be conducted, a current disclosure of the name and address of every person having a financial or legal interest in the entity or enterprise and the extent of the interest of each.

Conference Committee Amendment 2 to House Amendment 1—On page 1, line 14, after "trust" insert: ; provided further that in the case of a trust which has been declared and in existence for a period of at least five years prior to an involuntary taking under eminent domain proceeding or involvement in a zoning change or variance, such disclosure shall be exempt except for public employees, officials or consultants who may be beneficiaries.

Conference Committee Amendment 3 to House Amendment 1—On page 1, lines 3 through 6, strike officers thereof shall enter into any contract, lease or agreement, nor shall they agree to the settlement of any litigation whether pending or threatened, nor shall they enter into any agreement involving economic or legal benefit, nor shall they grant variances in zoning codes to any; and insert: officers thereof when acting in their official capacities shall enter into any contract, lease, or agreement, nor shall they agree to the settlement of any litigation or claim, nor shall they enter into any agreement involving economic or legal benefit, nor shall they grant changes or variances in zoning codes to any:

Conference Committee Amendment 4 to House Amendment 1—On pages 4 and 5, strike Section 5 and Section 6 and insert: Section 5. In the event of a voluntary application for variances or changes in zoning, public disclosures required under the provisions of this act shall be part of the application. Each political subdivision or agency in the state having regulatory authority over land use shall develop and implement ordinances establishing procedures whereby public disclosures shall be made when application for changes or variances in zoning is made.

Section 6. It is declared to be the legislative intent that, if any section, subsection, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 7. This act shall take effect October 1, 1974.

House Amendment 1—On page 1, line 19, strike everything after the enacting clause and insert:

Section 1. Neither the state, a county, municipality, or special district nor any of the departments, agencies, bureaus, commissions, or officers thereof shall enter into any contract, lease, or agreement, nor shall they agree to the settlement of

any litigation whether pending or threatened, nor shall they enter into any agreement involving economic or legal benefit, nor shall they grant variances in zoning codes to any:

(1) Trust, whether operating under the provision of chapter 691, Florida Statutes, or otherwise, except upon a public disclosure by the trust of the names and current addresses of each beneficiary of the trust then having a beneficial interest in such trust; provided, however, in the event the trust has in excess of fifty (50) beneficiaries, the trust shall not be required to disclose the names and current addresses of any beneficiary having less than a five percent (5%) beneficial interest in such trust.

(2) Business entity or enterprise operating under a fictitious name, partnership or limited partnership, except upon public disclosure by such entity or enterprise of the names and current addresses of all those having an interest in the entity or enterprise and the extent of the interest on each.

(3) Corporation not registered pursuant to chapter 517, Florida Statutes, or the federal securities exchange commission, except upon public disclosure by such corporation of the names and current addresses of all shareholders in the corporation.

(4) Any person or entity holding property in any form of representative capacity whatsoever for others, except as otherwise provided in this act, except upon public disclosure of the name and address of every person having financial or legal interest in the property held in representative capacity. Any contract or written agreement executed in the absence of such a public disclosure or executed following negotiations at which such public disclosure was withheld or was materially incomplete or false is declared to be voidable within one (1) year from the date of execution of such contract or agreement at the option of the state, county, municipality, special district, or other appropriate public contracting party. On or before the expiration of said one (1) year period the state, county, municipality, special district, or other appropriate public contracting party shall furnish all persons who have entered into any such contract or agreement with a certificate, in recordable form, stating that the contract or agreement or has not been voided, as the case may be, and in the event that any such contract or agreement affects real estate or has been recorded or filed in any public office of this state, then, in either event, said certificate shall be recorded by the state, county, municipality, special district or other appropriate public contracting party in the public records of the county in which such real estate is located or recorded or filed in the public office in which the original contract or agreement was recorded or filed. In the event that the state, county, municipality, special district, or other appropriate public contracting party shall fail to record or file said certificate as provided herein within said one (1) year period, it shall be conclusively presumed that the state, county, municipality, special district, or other appropriate public contracting party did not, within the time permitted, exercise its option to void such contract or agreement.

Section 2. Any trust, business entity, enterprise, or corporation subject to the provisions of section 1 which conveys to a third party any interest which is subject to a contract, lease, or agreement with any public agency as set forth in section 1, shall, pursuant to such conveyance, provide the third party with an affidavit acknowledged under oath that the public disclosure provisions of this act were fully complied with. Any person who makes a false affidavit under the provisions of this act is guilty of perjury and shall be subject to punishment as provided by §837.01, Florida Statutes.

Section 3. The disclosures required by this act shall not be required to be given by financial institutions regulated by the government of any state or the federal government when such financial institutions receive deposits, issue evidence of indebtedness therefor, or otherwise transact normal banking activities with the state, a local governmental unit or agency of either, nor shall such disclosures be required for the purchase of commodities when the purchase price thereof is less than one thousand dollars (\$1,000).

Section 4. Public disclosures made pursuant to the requirements of this act shall be made under oath, subject to the penalties prescribed for perjury, by the trustee or by the responsible officer of the business entity prior to the completion of any transaction with the state, a local governmental unit or an agency of either. The disclosure shall be made to

the state or to the local governmental unit, or agency of either with which the transaction is made. Disclosures shall be made at the time of entry into agreement, except that in the case of an eminent domain taking, such disclosure shall be made within forty-eight (48) hours after the time when the required sum is deposited in the registry of the court. The state, local governmental unit or agency of either shall send written notice by registered mail to the person required to make disclosures required by this act prior to entering into a contract or written agreement, or prior to depositing the required sum into the registry of the court in eminent domain proceedings, which written request shall also inform the person required to make such disclosure that such disclosure must be made under oath, subject to the penalties prescribed for perjury.

Section 5. It is declared to be the legislative intent that, if any section, subsection, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 6. This act shall take effect upon becoming a law.

House Amendment 2—On page 1, strike the entire title and insert: A bill to be entitled An act relating to public business; requiring trusts, fictitious name enterprises, partnerships or limited partnerships, persons or entities holding property in any form of representative capacity whatsoever for others, and certain corporations to disclose their beneficiaries, parties in interest, persons having beneficial interest, and shareholders, respectively, pursuant to executing contracts and agreements with state or local agencies or being granted variances in zoning codes; providing for voidability of contracts in violation; providing a time limit to assert voidability; requiring affidavits of disclosure upon conveyance of interests; providing a penalty; providing certain exemptions; providing that the trustee or responsible officer of the business entity shall make required disclosure under oath; providing notice to person required to make disclosure; providing severability; providing an effective date.

On motion by Senator Poston the report of the Conference Committee was adopted. The vote was:

Yeas—18

Mr. President	Graham	Pettigrew	Williams
Firestone	Gruber	Poston	Wilson
Gillespie	Lane (23rd)	Sayler	Winn
Glisson	Lewis	Sykes	
Gordon	Myers	Vogt	

Nays—17

Barron	Johnson	Scarborough	Ware
Brantley	Lane (31st)	Sims	Zinkil
Childers	McClain	Smathers	
de la Parte	Peterson	Stolzenburg	
Gallen	Plante	Trask	

By unanimous consent Senator de la Parte changed his vote from nay to yea.

Further consideration of the Conference Committee report on CS for SB 79 was deferred.

On motion by Senator Scarborough, the rules were waived and the following measures were introduced:

By Senators Scarborough and Lane (23rd)—

SCR 1129—A Concurrent Resolution In Commendation Senator Louis de la Parte, President Pro Tempore, The Florida Senate

WHEREAS, in dedication to public trust, altruistic motive, unstinting labor, consistent, persistent pursuit of right and truth, forceful delivery marked by a calm, dignified and affable manner no record exceeds that of Senator Louis de la Parte during the twelve years of his young manhood so gallantly devoted to the legislative services of his native Florida, and

WHEREAS, we, his contemporaries, would express and permanently record our admiration, respect and gratitude for this noble example so exemplified in his public service, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That this concurrent resolution be spread upon the Journals of The Florida Senate and the House of Representatives—

IN COMMENDATION

SENATOR LOUIS DE LA PARTE PRESIDENT PRO TEMPORE, THE FLORIDA SENATE

—who was born July 27, 1929, at Tampa, Florida and educated in the public schools of Hillsborough County; Emory University, BA 1950; vice president of Emory Senior Class and Secretary-Treasurer of Sigma Alpha Epsilon; President of John Marshall Bar Association. Happily married to the former Miss Helen White of Tampa, their children are Louis David and Peggy; his church, Catholic.

In 1962 he began his phenomenal legislative career. It has been said that in 1961 Florida's apportionment situation was the worst in the United States. The same General Election, November 6, 1962, at which he was elected to the House of Representatives from Hillsborough County, saw the rejection of HJR 30-X, providing for the apportionment of the Florida Legislature, and he was immediately catapulted into the maelstrom of reapportionment in which the Legislature had long been floundering in death throes-taking his seat in the House of Representatives for the first time in the Friday, November 9—Wednesday, November 28, 1962 Extraordinary Session on Reapportionment.

He served during the 1963 Regular Session Extended, April 2—June 19. His standing committee assignments: Vice Chairman of the Committee on Commerce and Reciprocal Trade; member of the Committees on Claims; Education-Higher Learning; Judiciary B; and Workmen's Compensation.

The throes of a freshman member now behind him, in the 1965 Regular Session his standing committee assignments were: Chairman, Committee on Statutory Revision; member Committees on Constitutional Amendments; Education-Higher Learning; Judiciary B and State Institutions. Among important measures introduced by him and steered to passage in this Session were HB 978, Ch. 65-294, which divided the state into four appellate districts, providing for headquarters, organization, composition and judges; and HB 1300, Ch. 65-558, providing for an Interim Committee to study the problems of juvenile delinquency. He served as Chairman of this Committee committed to a matter next to his heart and to which he has lent unflagging interest and indefatigable effort throughout his legislative work. The Regular Session of 1965 was followed in that year by the Extraordinary Sessions June 5—June 24, reapportionment; and June 25—July 14, reapportionment and Congressional redistricting. The Extraordinary Reapportionment Session of March 2—March 9, during which he served as a member of the Standing Committee on Legislative Apportionment, concluded his tenure in the House of Representatives.

He was sworn in as a member of the Senate at the Organizational Session, Tuesday, November 15, 1966, having been elected from the 22nd Senatorial District at the General Election of November 8, 1966, and saw his first service in the Senate in the hectic, history making January 9—January 28, 1967 Special Session initially called by Governor Claude Kirk for the purpose of constitutional revision. His standing committee assignments were Vice Chairman, Committee on Apportionment, Resolutions and Memorials; member Committees on Appropriations; Education-Higher Learning; Health and Welfare; Judiciary "A"; Mental Health, Retardation and State Institutions. This Special Session, under the Presidency of Senator Verle A. Pope, was destined to see two "firsts" in Florida Senate history. On January 26th, following a motion that the Senate go into Executive Session, certain members of the press refused to leave the Chamber. As a result, on January 28th the Senate's last closed Executive Session was held. All subsequent Executive Business has been conducted by the Senate in open Session. On February 8th a three-judge Federal Court ended Florida's fourteen years of reapportionment struggle by ordering a 48-Senator, 119 member House of Representatives, to be elected immediately under a plan drawn by Professor Manning J. Dauer of the University of Florida. Special elections were ordered—two primaries and a general election—to

be held in time for the Regular Session of the Legislature, scheduled to meet on April 4, 1967. At the General Election held under this edict on March 28, 1967, he was again elected to the Senate, his district having changed in number from the 22nd to the 26th.

While nonetheless to be deplored, when his almost incredible record of legislative service is taken into account together with his impeccable record of attendance, it is understandable that he signifies the wish to bow out of public service and devote some portion of his years to the pursuit of his private affairs.

In 1967, as the Senator from the 26th Senatorial District, he sat through the Regular Session Extended, April 4—July 14; the July 24—July 28 Extraordinary Session for college funding and crime fighting legislation; the July 31-August 19 and August 21-September 1 Special Sessions dealing with Constitutional Revision; in 1968, the January 29-February 16 Special Session for legislation concerning the future educational program in Florida and the June 24-July 3 Special Session for Constitutional Revision, at which latter session three joint resolutions were passed, the ratification of which on November 5, 1968, put to rest for the most part the long troublesome matter of constitutional revision. The 1968 revision of the Constitution became effective on January 7, 1969, and he sat as a member of the first Special Session of the Senate called on February 17, 1969, under Section 7, Article IV, for the consideration of Executive Suspensions, this particular session having been called to set at rest uncertainty prevailing in Taylor County because of the suspension of the entire county commission. The April 8-June 6 Regular Session of 1969 was followed by the December 1-December 10 Special Session of that year called to implement and fund the 16-year road building program for the state and to select 1970 primary election dates.

1970 netted him service in the April 7-June 5 Regular Session; the June 10 Special Session called for the adoption of a General Appropriations Bill, the Governor having vetoed the bill as passed at the Regular Session; July 8, a second Special Session of the Senate on Executive Suspensions dealing with the suspended Supervisor of Elections of Hillsborough County; October 9, a Special Session called to consider declaring a 90-day moratorium on automobile insurance rate increases; November 16 a third Special Session of the Senate on Executive Suspensions; November 17, a Special Session to properly fund Governor-Elect Reubin O'D. Askew during the transitional period of administrations.

In 1971, January 27-February 4, a Special Session covering the subjects of automobile insurance problems; tax on corporate income; terms of members of the Board of Business Regulation; additional funding for the Medicaid program; mileage; district school boards, tax levy, etc.; April 6-June 4, the Regular Session; June 9-June 24 a Special Session called for the purpose of enacting a General Appropriations Bill and revenue bills to adequately finance it, the Proclamation amended to cover the further subjects of financing local governments, regional transportation authorities, dissolution of marriage, ad valorem tax exemption, full value assessment and reorganization of the Department of Commerce. November 29-December 9, a Special Session called for the enactment of legislation implementing a tax on the net income of corporations; the proclamation amended to include additional items listed (a) through (p); again amended to include items (q) through (z) ranging from an emergency fund for drought conditions in Central and South Florida, amendment of the Uniform Traffic Control Law, to a Special Election for submission to the voters of Articles V and VII of the Constitution.

In 1972 the Regular Session Extended, February 1-April 7, which reapportioned itself, providing Florida with what is said to be one of the best apportioned Legislatures in the United States; April 8, a Special Session called for implementation of Article V relating to number and compensation of county judges. Sufficient notice of this Call not having been received by some of the membership, the Senate adjourned without conducting any business, but the Senator from the 26th was among the 32 members who were recorded present. The Proclamation was reissued calling a Special Session on April 11, and extended to include circuit judges as well as county judges. At the Organizational Session of 1972, November 21, he was sworn in from a Senatorial District again numbered 22. November 28-December 1, a Special Session called for the purpose of considering legislation relating to capital punishment; the proposed 27th Amendment to the U. S. Constitution; supple-

mental appropriations for: the Department of Pollution Control, the State Minimum Foundation Program, the University of South Florida Medical Center; powers of the Central and South Florida Flood Control District; church tax exemption and public defenders, as amended by four subsequent Proclamations.

1973, the Regular Session Extended, April 3-June 6.

1974, January 29-January 30, a Special Session to consider legislation concerning daylight saving time; February 26, a Special Session of the Senate on Executive Suspensions; April 2 through the 1974 Regular Session.

In early Senate service, he was appointed as a member of the Florida Legislative Council; served on the Council's Study Committee on Mental Health and Retardation; the Senate Interim Committee on Juvenile Delinquency and as the Senate member on the Advisory Committee to the Director of the Division of Youth Services and on an Interim Committee to study all aspects of the Alcoholic Beverage Statutes. As time moved on he served on other Special, Select and Statutory Committees without end, Chairing some the Senate's most important and hardworking Committees, the Committees on Ways and Means and Mental Health, Retardation and State Institutions among the number. Emulating the example of the late Senator Pope, he has worked hard for the introduction and preservation of all good as opposed to bad legislation, and has faithfully and consistently lent his talents to the interests of the young, the elderly and the poor, being the moving spirit of Health and Rehabilitative Services—as a member of the news media said of him—"a man before his time".

In addition to the time spent in legislative halls, hours spent in study of a variety of momentous subjects and monumental problems almost taxing credulity, he has also found time to engage in other services, having been a Special Assistant Attorney General, Assistant Hillsborough County Solicitor, Assistant State Attorney and acting judge for the City of Tampa; also, military service, U. S. Air Force, Judge Advocate General's Corps; rank of Captain and saw service in France as Observer of Trials under NATO.

In 1967 he was runnerup for "Most Valuable Senator of the 1967 Session, award by the St. Petersburg Times. "Legislator of the Year" by Florida Association for Retarded Children, 1968, 1969 and 1970. Chosen for Allen Morris Awards as "Most Outstanding First Session Senator, 1967" and "Most Effective in Debate in the Senate, 1969". Chosen for the St. Petersburg Times Award, "Most Valuable Member of the Senate" for 1969, 1970 and 1971. Florida Optometric Association 1969 Legislator of the Year. Florida Voluntary Health Association 1970 Legislator of the Year. Florida Prosecuting Attorney's Association 1971 Legislator of the Year.

And so, we heartily concur in the Tampa Tribune's Editorial of January 10, 1974:

"It is Hillsborough County's and Florida's loss that Louis de la Parte has decided to retire from public life at the conclusion in November of his present term in the . . . Senate. Yet after 12 years in the Legislature, he certainly deserves to satisfy what he termed 'a deep yearning to become a private person.' In his fulfillment of his public duties, his diligence and dedication have left him less time for both his family and his law practice than most public officials have. Although he (is) recognized as one of the Legislature's most effective debaters, it (is) because he always (does) his homework, whatever the subject, and pursues his case with logic where others gain greater public recognition through verbal fireworks . . . his tendency not to ally himself with monied interests but instead concentrate on being a 'people's' legislator . . . So, at 44, Louis de la Parte will become one of the state's youngest 'elder statesmen.' It is a role we may hope time and events will encourage him to relinquish to return to active participation in government."

BE IT FURTHER RESOLVED that a duly attested copy of this resolution be presented to our most esteemed colleague, whom we have known as truly one of the white souls of chivalry, together with our wishes for Godspeed in his future activities.

—which was read the first time in full. On motion by Senator Scarborough, by two-thirds vote SCR 1129 was read the second time by title, adopted, and certified to the House. The vote was:

Yeas—37

Mr. President	Graham	Pettigrew	Trask
Barron	Gruber	Plante	Ware
Brantley	Henderson	Poston	Weber
Childers	Johnson	Saunders	Williams
Deeb	Johnston	Sayler	Wilson
Firestone	Lane (23rd)	Scarborough	Winn
Gallen	Lewis	Sims	Zinkil
Gillespie	McClain	Smathers	
Glisson	Myers	Stolzenburg	
Gordon	Peterson	Sykes	

Nays—None

By Senator Gallen—

SB 1130—A bill to be entitled An Act relating to Manatee County, commercial fishing; amending section 1 of Chapter 70-799; closing certain inland waters of Manatee County to commercial fishing and netting; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1130.

—which was read the first time by title and placed on the local calendar.

The Senate resumed consideration of—

HB 1542 (cs 1542, 1370)—A bill to be entitled An act relating to the Florida Public Service Commission; amending chapter 350, Florida Statutes, adding new sections 350.061 through 350.0614 to create the office of public counsel and to prescribe the qualifications, duties, staff and compensation of said office; amending section 350.58, Florida Statutes, to require annual reports of public counsel; adding subsection (4) to §364.06, Florida Statutes, subsection (4) to §366.06, Florida Statutes, and subsection (5) to §367.081, Florida Statutes, allowing the commission to withhold consent of new rate schedules and defer their use for a five (5) month period; providing that new rates or any portion not consented to shall become effective under bond at the end of five (5) months if the commission has not concluded the proceeding; requiring the utility to keep detailed records and make refunds under certain circumstances and requiring interest to be paid on such refunds; providing an effective date.

Senator Glisson moved the following amendment which was adopted:

Amendment 8—On page 7, line 25, strike section 6 and insert: Section 6. Subsection (5) is added to section 323.08, Florida Statutes, to read:

323.08 Rates; procedure for fixing and changing.—

(5) Pending a final decision in any rate proceeding under this section, the commission may withhold consent to the operation of all or any portion of the new rate schedules, delivering to the motor carrier requesting such increase within thirty (30) days a reason or written statement of good cause for withholding its consent. Such consent shall not be withheld for a period longer than five (5) months from the date of filing the new schedules. The new rates or any portion not consented to shall go into effect under bond at the end of such period, but the commission shall by order require such motor carrier to keep accurate account in detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts were paid, and upon completion of hearing and final decision in such proceeding shall by further order require such motor carrier to refund with interest at a fair rate, to be determined by the commission in such manner as it may direct, such portion of the increased rate or charge as by its decision shall be found not justified. Any portion of such refund not thus refunded to patrons or customers of the motor carrier shall be refunded or disposed of by the motor carrier as the commission may direct, provided, however, no such funds shall accrue to the benefit of the motor carrier.

Section 7. This act shall take effect July 1, 1974.

The President Pro Tempore presiding.

Senators Gordon and Horne offered the following amendment which was moved by Senator Gordon and failed:

Amendment 9—On page 5, between lines 3 and 4, insert: Section 3. Present paragraphs (m) and (n) of subsection 2 of Section 350.12, Florida Statutes, are redesignated paragraphs (n) and (o) and a new paragraph (m) is added to read:

350.12 Duties and powers of commissioners.—

(2) And they shall have power:

(m) To exercise exclusive jurisdiction over any person or condominium association with respect to contracts relating to common recreational areas and assessments for payment of expenses of the operation, maintenance, repair, or replacement of such areas.

Section 4. Certificate.—Each person or condominium association shall obtain a certificate authorizing it to make assessments for the expenses of any common recreational area of a condominium.

Section 5. Application.—Each applicant for a certificate required by section 4 of this act shall:

(1) Provide information required by the public service commission, which may include a detailed inquiry into the ability of the applicant to provide contracts for maintenance, management or operation of common recreational areas;

(2) File with the commission schedules showing all expenses of operation, maintenance, repair or replacement of common recreational areas, and all rules, regulations and contracts relating thereto;

(3) File the application fee required by section 10 of this act;

(4) Submit an affidavit that the applicant has caused notice of its intention to file an application, to be given by mail or personal delivery to each unit owner of the condominium.

Section 6. Issuance of certificates.—

(1) If within twenty days following the filing of the application prescribed by section 3 of this act, the public service commission does not receive written objection to the application from any unit owner of the condominium, the commission may dispose of the application without hearing.

(2) If within twenty days following the filing of the application the commission receives a written prima facie valid objection to the application from any unit owner of the condominium, the commission shall hold a public hearing in or near such condominium, with notice of the hearing to be given to the applicant and parties objecting.

(3) In either event, the commission may grant a certificate or, after notice and hearing, deny a certificate.

Section 7. Transfer.—

(1) No certificate holder shall sell, assign, or transfer its certificate without determination and approval of the public service commission that the proposed sale, assignment, or transfer is in the public interest.

(2) Applications for proposed sale, assignment or transfer shall be made in the same manner as provided by section 3 of this act, except that the application shall be accompanied by a fee as provided by section 10 of this act.

(3) Applications shall be disposed of as provided in section 3 of this act except that the commission shall amend the certificates as necessary to reflect the change resulting from the sale, assignment, or transfer.

Section 8. Assessments; procedure for fixing and changing.—

(1) Assessments being made and collected by a certificate holder for expenses of operation, maintenance, repair, or replacement of common recreational areas shall be changed only by approval of the public service commission.

(2) The commission shall, after notice and hearing, either upon request or upon its own motion, fix assessments which

are just, reasonable, compensatory, and not unjustly discriminatory. In all such proceedings, the commission shall consider the cost of the recreational facility, less any portion thereof paid by the condominium owners, and the cost, value and quality of maintaining, managing and operating the common recreational areas.

(3) Applications for assessment changes shall be accompanied by a fee as provided in section 10 of this act.

Section 9. Common recreational areas; maintenance; management; operation.—Each certificate holder shall be responsible for the maintenance, management and operation of the common recreational area described in its certificate within a reasonable time. If the public service commission finds, after notice and hearing, that any certificate holder has failed to so provide, it may rescind the certificate.

Section 10. Powers of commission.—

(1) In the exercise of its jurisdiction over contracts and assessments relating to common recreational areas of a condominium association, the public service commission shall have power:

(a) To prescribe fair and reasonable assessments, and standards of quality and service rules and regulations to be observed by each certificate holder;

(b) To require the filing by each certificate holder of periodic reports and all other reasonably necessary information;

(c) To require repairs, improvements, additions, and extensions to the common recreational area of any condominium association reasonably necessary to promote the convenience and welfare of the unit owners and secure sufficient service or facilities for those reasonably entitled thereto.

(d) To employ and fix the compensation for such examiners and technical, legal, and clerical employees as it deems necessary to carry out the provisions of this act.

(e) To prescribe all rules and regulations reasonably necessary and appropriate for the administration and enforcement of this act; and

(f) To exercise all judicial powers, issue all writs, and do all things necessary or convenient to the full and complete exercise of its jurisdiction and the enforcement of its orders and requirements.

(2) The commission or its duly authorized representatives may, during all reasonable hours, enter any common recreational area of a condominium for the purpose of making investigations, inspections, examinations, and tests and exercising any power conferred by this act. The certificate holder with respect to such common recreational area shall have the right to be notified of and be represented at the making of such investigations, inspections, examinations, and tests.

Section 11. Review of commission's orders.—Any certificate holder, or any person in interest, who is dissatisfied with any order of the public service commission may have it reviewed by the supreme court by certiorari.

Section 12. Fees.—An application made pursuant to the provisions of section 5, 7 or 8 of this act shall be accompanied by a fee, based upon the existing or proposed capacity of the condominium project, as follows:

(1)	1 to	249 units	\$ 25
(2)	250 to	499 units	\$ 50
(3)	500 to	999 units	\$ 100
(4)	1,000 to	1,499 units	\$ 250
(5)	1,500 to	2,499 units	\$ 500
(6)	2,500 to	or more units	\$1000

Section 13. Incrimination, violations; penalties.—

(1) A person called upon to testify before the public service commission or one of its examiners shall not be excused from answering on the ground or claim that his testimony would tend to incriminate him; but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may have testified or produced documentary evidence. However, no person so testifying shall be exempted from prosecution or punishment for perjury in so testifying.

(2) If any person or condominium association, by any authorized officer, agent, or employee, shall knowingly refuse to comply with, or willfully violate, any provision of this act or any lawful assessment, rule or regulation, order, direction, demand, or requirement prescribed by the commission, such person or condominium association shall incur a penalty for each such offense of not more than \$5,000, to be fixed, imposed, and collected by the commission. Each day that said refusal or violation continues shall constitute a separate offense. Each penalty shall be a lien upon the real and personal property of the person or association, enforceable by the commission as statutory liens under chapter 85, Florida Statutes. The proceeds from the enforcement of any such lien shall be deposited in the general revenue fund of the state.

Section 14. Within 180 days after the effective date of this act, every person or condominium association making assessments for the expenses of a common recreational area of a condominium shall make application for a certificate pursuant to section 3 of this act, accompanied by a fee as provided by section 10.

(Renumber subsequent sections)

Senator Johnston moved the following amendments which were adopted:

Amendment 10—On page 5, line 24, and on page 6, line 17, and on page 7, line 10, strike: "five (5)" and insert: *eight (8)*

Amendment 11—On page 1, line 16, and on line 18, strike: "five (5)" and insert: *eight (8)*

Senator Lane (31st) moved the following amendment which was adopted:

Amendment 12—On page 7, between lines 24 and 25 insert: (6) In no instance is any regulated company allowed to put into effect suspended rates more than one time in any 12 month period.

Senator Glisson moved the following amendment which was adopted:

Amendment 13—On page 1, line 13, strike "and" and on line 14 after Statutes insert: and subsection (5) to section 393.08

On motion by Senator Williams, by two-thirds vote HB 1542 (cs 1542, 1370) as further amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Gruber	Pettigrew	Vogt
Barron	Henderson	Poston	Ware
Brantley	Johnson	Saunders	Weber
Childers	Johnston	Saylor	Williams
de la Parte	Lane (31st)	Scarborough	Wilson
Firestone	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	
Graham	Peterson	Trask	

Nays—None

The President presiding.

The Senate resumed Consent Calendar.

HB 788—A bill to be entitled An act relating to the state board of funeral directors and embalmers; amending section 470.30, Florida Statutes, by adding a new subsection (8); establishing branch funeral chapels; providing for licensing and revocation of licenses of branch funeral chapels; authorizing the board to make rules and regulations concerning branch funeral chapels; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendments which were moved by Senator Barron and adopted:

Amendment 1—On page 3, line 15, strike "Section 2. This act shall take effect upon becoming law." and insert: Section 2. If any provision of this act is held invalid, then the entire act shall be declared invalid.

Section 3. This act shall take effect upon becoming law.

Amendment 2—On page 1 at the end of line 11 (title) insert: providing severability;

On motion by Senator Barron, by two-thirds vote HB 788 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Poston	Vogt
Childers	Johnson	Saunders	Ware
de la Parte	Johnston	Saylor	Weber
Firestone	Lane (31st)	Scarborough	Williams
Gillespie	Lane (23rd)	Sims	Wilson
Glisson	McClain	Smathers	Winn
Gordon	Myers	Stolzenburg	Zinkil

Nays—1

Lewis

SB 235 was taken up and on motion by Senator Peterson—

CS for HB's 3208 and 3166—A bill to be entitled An act relating to health and rehabilitative services; providing for a statewide school health services plan; providing an appropriation, contemplating phased in funding; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senators Peterson and Myers offered the following amendments which were adopted on motion by Senator Peterson:

Amendment 1—Strike everything after the enacting clause and insert: Section 1. Short title.—This act shall be known and may be cited as the School Health Services Act of 1974.

Section 2. The school health services program.—The legislature finds that health services, conducted as a part of the total school health program, should be carried out to appraise, protect, and promote the health of students. School health services supplement, rather than replace, parental responsibility and are designed to encourage parents to devote attention to child health, to discover health problems, and to encourage use of the services of their physician, dentist, and community health agencies.

Section 3. Definitions.—The following words and phrases shall have the following meanings for the purpose of this act:

(1) "Screening" means presumptive identification of unknown or unrecognized disease or defects by the application of tests that can be given with ease and rapidity to apparently healthy persons.

(2) "Physical examination" means a thorough evaluation of the medical status of an individual.

(3) "Indigent children" means any children of a family eligible for free or reduced price lunches, special programs under title I of the elementary and secondary education act, or the aid to families with dependent children program.

(4) "Emergency health needs" means on site management and aid for illness or injury pending student return to classroom, or release to parent, guardian, designated friend or designated health care provider.

Section 4. Duties of department of health and rehabilitative services.—Duties of the department of health and rehabilitative services shall be as follows:

(1) To employ, contract for, and supervise health service personnel for each school in the district in accordance with the state plan, provided, however, that in matters of coordination of health service programs with other school programs, the principal of each school shall have immediate supervisory authority over the health personnel working in that school.

(2) To carry out health appraisal and screening programs which include periodic review and analysis of health related records, observation, and screening tests consistent with sound health practices. Screening shall include vision, hearing, growth and development, nutrition, dental health, mental health, and communicable diseases.

(3) To meet emergency health needs.

(4) When definitive diagnosis or treatment is indicated, to consult with parents or guardians when appropriate regarding the need for medical attention by the family physician, dentist, or other specialist as the case may require.

(5) To follow up on children referred for further diagnosis and treatment.

(6) To provide indigent children with physical examinations and to refer indigent children to appropriate medical and dental treatment, in cooperation with the private medical and dental community wherever possible.

(7) In cooperation with school personnel, to counsel pupils and parents in matters regarding health programs and practices.

(8) To maintain records by school on the incidence of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs. Records on individual children shall remain confidential in accordance with law and regulations of the department of health and rehabilitative services and the state board of education.

(9) To aid in the diagnosis and evaluation of children for placement in exceptional child programs and in the reevaluation at periodic intervals of the children placed in such programs.

(10) In cooperation with the department of education, to promulgate the rules and regulations necessary for the implementation of this act.

(11) In cooperation with school officials, to provide assistance to school personnel in such areas as health education programs, identification of children with health problems, and in working with children with special health problems.

Section 5. Duties of the district school boards and the department of education.—Each district school board and the department of education where applicable shall have the following duties:

(1) To coordinate the educational aspects of the school health services program with the comprehensive health education act of 1973, and to include health services and health education as part of the school districts' comprehensive educational plan.

(2) To cooperate with the department of health and rehabilitative services in the provision of health services to children.

(3) To provide physical facilities at each school for the health services program.

(4) To provide in-service health training for school personnel.

(5) To cooperate with public health personnel in counseling pupils and parents in matters regarding health programs and practices.

Section 6. Non-public schools may request to participate in the school health services program. Non-public schools voluntarily participating in the school health services program shall comply with subsections 2, 3, 4, and 5 of section 5 above.

Section 7. Exemptions.—At the beginning of each school year, parents or guardians will be requested to provide their written permission for medical or physical examination, screening, and treatment. Any child shall be exempt from medical or physical examination, screening and treatment if his parent or

guardian does not provide such permission, provided however, that the laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated.

Section 8. Exclusion from liability.—School board members and school personnel, except medical personnel actually performing medical services, shall be excluded from liability arising out of medical or physical examination, screening and treatment performed in accordance with the provisions of this act.

Section 9. Plan.—The department of health and rehabilitative services and the department of education jointly shall develop a detailed plan for the implementation of the statewide school health services programs by January 1, 1975, for submission to the president of the senate and the speaker of the house of representatives. Such plan shall include cost data, program services to be provided, administrative procedures, assessment of needs and available state and community resources, methods for program continuation and implementation including present personnel, mechanisms for interagency cooperation at the local level, and program evaluation.

Section 10. Funding.—School health services shall be implemented in annual increments so that all children will be served by 1979. Expenditures for school health services shall be accounted for by county in accordance with standards established by the department of health and rehabilitative services or as provided by law. Implementation shall commence January 1, 1975, upon completion of the plan. There is hereby designated from the monies appropriated to the department of health and rehabilitative services for fiscal year 1974-75 the amount of \$50,000 for planning and evaluation for the purpose of carrying out this act.

Section 11. Sections 230.23(6)(d), 230.33(8)(d), 232.29, 232.30, 232.31, and 232.32, Florida Statutes, are repealed as of January 1, 1975.

Section 12. This act shall take effect January 1, 1975, except for section 9 and 10, which shall take effect July 1, 1974.

Amendment 2—On page 1, strike lines 4 through 8 and insert: An act relating to health and rehabilitative services; providing a program of school health services; requiring the department of health and rehabilitative services to carry out health appraisal and screening programs in the schools; authorizing provision for physical examination and treatment of indigent children; establishing definitions; defining duties of the department of health and rehabilitative services, of the department of education and of district school boards; providing for participation by non-public schools; providing exemptions; providing for a statewide school health services plan; providing for repeal as of January 1, 1975 of §230.23(6)(d), 230.33(8)(d), and 232.29—232.32, Florida Statutes, relating to powers and duties of school boards for health examinations and treatments, duties and responsibilities of superintendents for health examinations and treatments, physical and mental examinations, and cooperation of school boards and county health units; providing effective dates.

On motion by Senator Peterson, by two-thirds vote CS for HB's 3208 and 3166 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Graham	Myers	Sykes
Brantley	Gruber	Peterson	Trask
Deeb	Henderson	Pettigrew	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Saylor	Wilson
Gallen	Lane (31st)	Scarborough	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	
Gordon	McClain	Stolzenburg	

Nays—2

Saunders Williams

Consideration of HB 933 was deferred.

HB 4018—A bill to be entitled An act relating to Biscayne Bay in Dade and Monroe Counties; providing for the establishment of Biscayne Bay as an aquatic preserve; providing powers, duties and responsibilities of the trustees of the internal improvement trust fund, respecting said preserve; providing restrictions on the sale and use of lands and waters in the preserve; providing for relocation of bulkhead lines; providing for rules and regulations; providing for riparian rights of upland owners within or adjacent to the preserve; providing that no wastes or effluents shall be discharged into the preserve which substantially inhibit the accomplishment of this act; providing for enforcement, application of existing law, and severability; providing an effective date.

—was read the second time by title.

Senators Poston and Firestone offered the following amendments which were moved by Senator Poston and adopted:

Amendment 1—On page 2, line 20, after the period insert: Except however those submerged lands conveyed to the United States for the establishment of the Biscayne National Monument as defined by public law-90-606 of the United States.

Amendment 2—On page 3, line 31, insert: (d) Such dredging as is necessary for the purpose of eliminating conditions hazardous to the public health or for the purpose of eliminating stagnant waters, unsightly mud flats, islands, and spoil banks the dredging of which would enhance the aesthetic quality and utility of the preserve and is clearly in the public interest as determined by the Trustees of the Internal Improvement Trust Fund.

Amendment 3—On page 4, strike all of subsection (4), lines 9—13 and insert: (4) The Board of Trustees shall not approve any seaward relocation of bulkhead lines or further establishment of bulkhead lines except when a proposed bulkhead line is located at the line of mean high water along the shoreline. Construction, replacement or relocation of seawalls shall be prohibited without the approval of the trustees of the internal improvement trust fund which approval may be granted only if riprap construction is used in the seawall.

On motion by Senator Poston, by two-thirds vote HB 4018 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Smathers
Barron	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Saunders	Wilson
Gallen	Lane (31st)	Saylor	Winn
Gillespie	Lane (23rd)	Scarborough	Zinkil
Glisson	Lewis	Sims	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

HB 3839—A bill to be entitled An act relating to the Florida Wing of the Civil Air Patrol; providing nonprofit educational status; providing an appropriation; authorizing certain expenditures; requiring a surety bond be furnished; providing an effective date.

—was read the second time by title. On motion by Senator Firestone, by two-thirds vote HB 3839 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Firestone	Gordon	Johnson
Childers	Gallen	Graham	Johnston
Deeb	Gillespie	Gruber	Lane (31st)
de la Parte	Glisson	Henderson	Lane (23rd)

Lewis	Poston	Smathers	Weber
McClain	Saunders	Stolzenburg	Wilson
Myers	Saylor	Sykes	Winn
Peterson	Scarborough	Trask	Zinkil
Pettigrew	Sims	Ware	

Nays—None

CS for HB 895 (cs)—A bill to be entitled An act relating to limitations of actions; creating sections 95.011, 95.031 and 95.091, Florida Statutes; prescribing the periods of time for limitations; the conditions under which the periods of time apply, the times when actions accrue, the applicability of limitations and laches; repealing sections 95.02, 95.021, 95.08, 95.09, 95.112, 95.113, 95.15, 95.20, 95.24, 95.251, 95.27, 95.33, 95.34, 95.38, 353.06, 356.09, 475.49, 478.191 (5), 672.725, 676.111, 768.04, 849.27, 849.28, Florida Statutes 1971, amending sections 65.081, 95.03, 95.04, 95.10, 95.11, as amended by chapter 73-333, Laws of Florida, 95.111, 95.12, 95.13, 95.14, 95.16, 95.17, 95.18, 95.19, 95.21, 95.22, 95.241, 95.35, 95.36, 192.053, 206.14 (5), 206.15, 206.175, 211.11, 517.21 (1), 377.33 (3), Florida Statutes 1971, transferring section 95.37, Florida Statutes 1971 to chapter 11, Florida Statutes; amending and transferring sections 95.05, 95.06, 95.07, 95.23, 95.26, 95.28, 95.29, 95.30, 95.31, 95.32 and 337.31, Florida Statutes 1971; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendments which were moved by Senator Johnson and adopted:

Amendment 1—On page 3, lines 11 and 12, strike everything after the word "after" and insert: the date of delivery of the completed product to its original purchaser or the date of the commission of the alleged fraud regardless of the date the defect in the product or the fraud was or should have been discovered.

Amendment 2—On page 6, line 6, strike everything after word "employer" and all of lines 7 and 8 and insert a period after "employer"

Amendment 3—On page 6, lines 16, 17 and 18, strike everything after the word "fixtures" and insert a semi-colon (;)

Amendment 4—On page 20, line 19, strike "three" and insert: five

Amendment 5—On page 20 after, line 25, insert a new paragraph: (5) Except as otherwise provided by law, the amount of any tax may be determined and assessed within three years after the first day of the month following the date on which the tax becomes due and payable. However, this limitation shall be tolled for a period of two years by a request for inspection and examination of a taxpayer's books and records by the taxing authority within that period, in which event the period for which tax due may be determined and assessed shall be the three years immediately preceding the first day of the month in which a request for inspection and examination of the books and records has been made by taxing authority.

Senator Barron moved the following amendment which was adopted:

Amendment 6—On page 7, line 8, strike "(q) An action for wrongful death;" and between lines 18 and 19 insert: (c) An action for wrongful death;

On motion by Senator Johnson, by two-thirds vote CS for HB 895 (cs) as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Gillespie	Lewis	Sykes
Barron	Gordon	McClain	Trask
Brantley	Graham	Myers	Ware
Childers	Gruber	Peterson	Williams
Deeb	Henderson	Poston	Wilson
Firestone	Johnson	Sims	Winn
Gallen	Lane (23rd)	Smathers	Zinkil

Nays—3

de la Parte	Glisson	Pettigrew
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By unanimous consent Senator Vogt was recorded as voting yea.

HB 972—A bill to be entitled An act relating to the sale of securities; amending section 517.12(4), Florida Statutes, to provide for filing surety bond by dealers not members of Securities Investors Protection Corporation; and providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Johnson and adopted:

Amendment 1—On page 2, strike all of Section 2 and insert: Section 2. Sections 517.13, 517.14 and 517.15, Florida Statutes, are amended to read:

517.13 Form of bond to be given by dealers.—The surety bond required of dealers in certain securities under §517.12, shall be in substantially the following form:

"State of Florida,

County of _____,

KNOW ALL MEN BY THESE PRESENTS, That _____

_____, of the State of _____ having a place of business in _____, Florida, as principal, and the _____ of _____ and authorized to conduct and carry on a general surety business in the State of Florida, as surety, are held and firmly bound unto _____ Governor of the State of Florida and his successors in office in the sum of ~~fifty~~ five thousand dollars lawful money of the United States for the payment whereof well and truly to be made, subject to the terms and provisions hereinafter set forth, the said principal and the said surety bind themselves, their successors and assigns, executors and administrators, jointly and severally, firmly by these presents.

Signed and Sealed this _____ day of _____ A.D. 19_____.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, WHEREAS the department of banking and finance of the State of Florida, under the provisions of chapter 517, Florida Statutes, has registered the said _____ principal herein named as a dealer to sell in the State of Florida those certain securities mentioned in the application of the said _____ principal herein named for registration, to wit:

AND WHEREAS the said dealer is authorized by said laws to appoint salesmen to represent and assist said dealer in the sale of said securities,

NOW THEREFORE, if the above bounden _____ principal herein named, shall truly report to the department of banking and finance the names and addresses of all salesmen so appointed and employed in the sale of said securities, and said _____ principal herein named as such dealer and each and every salesman registered by said dealer shall well and truly comply with the provisions of chapter 517, Florida Statutes, then this obligation to be void, otherwise to remain in full force and effect.

PROVIDED HOWEVER, AND UPON THE FOLLOWING EXPRESS CONDITIONS:

Provided always that nothing herein shall be construed to make the total maximum liability hereunder of the above named principal or surety more than ~~fifty~~ five thousand dollars regardless of the number of acts of omission or commission of the above named principal or its salesmen.

PROVIDED FURTHER, that before any person, firm or corporation shall have any right of action or any right whatsoever against the principal or the surety upon this bond and before any such right of action or any such right whatsoever shall exist or arise, such person, firm or corporation, within the period of one year after the termination of this bond must have given to the surety and the principal written notice of claim under this bond and it is hereby stipulated and agreed that the giving of such notice of claim under this bond within said period of one year shall be a condition precedent to any right of action or right whatsoever against the principal or the surety and the failure to give such notice as aforesaid shall render this obligation null and void and of no effect as to such persons, firm or corporation.

PROVIDED FURTHER, that the liability of the surety of this bond is limited to actual cases of fraud or dishonesty committed by the principal or its salesmen in the sale of said securities or to investment advisers, investment counsels or investment counsellors who knowingly and fraudulently give fraudulent investment advice or knowingly and fraudulently make or publish false statements directly or indirectly as to the value of securities.

PROVIDED FURTHER, that either the principal or the surety may cancel this bond as an entirety by giving sixty days written notice to the department of banking and finance at Tallahassee, Florida, and if canceled by the surety, copy of said notice of cancellation shall be sent by registered mail to the principal hereunder. Said notice to the department of banking and finance shall also be sent by registered mail. In case of such cancellation by either the principal or the surety no further obligation shall be incurred under this bond after the expiration of said sixty days, but the liability of the principal and surety shall apply as above set out as to any acts or omissions which may have occurred prior to the effective date of such cancellation.

The period for which this bond shall remain in force and effect, unless previously canceled as hereinabove provided for, shall be from date of issuance through December 31 of that year, or December 31 of the ensuing year if registration is granted on or after November 1, at the expiration of which time it shall ipso facto cease and terminate as to all future transactions only."

Which bond shall be duly executed in accordance with all laws governing surety bonds executed by surety companies under the laws of Florida.

517.14 Deposits in lieu of bond.—In lieu of bond the applicant may, if he so desires, deposit with the department, United States government bonds of the value of *fifty five* thousand dollars, or cash in the sum of *fifty five* thousand dollars or other securities satisfactory to the department; provided, that the total liability under such bond or deposit shall be *fifty five* thousand dollars and when the bonding company as surety on said bond shall have paid as much as *fifty five* thousand dollars on its liability under said bond, the bond will be thereby exhausted and the company absolved from any further liability by reason thereof; and provided, further, that no claim or claims under such bond or deposit of United States government bonds or cash shall be enforceable unless presented to the department within one year after the expiration of the term for which the bond was given, or deposit made, and that if no claim or claims are so presented, then, after the expiration of such year, the bond shall be canceled or the United States government bonds or cash shall be returned to the party depositing same.

517.15 Bonds of dealers in federal, state, etc., securities.—All dealers in securities issued by a public commission, board or officers of the government of the United States or of any state, territory or insular possession thereof, or of any municipality located therein, or of the District of Columbia, or of the Dominion of Canada or of any province thereof, where such dealer deals solely and exclusively in the aforesaid securities, may be registered as such dealer when the permit issued to him by the department recites and limits his dealings in securities to the above named securities upon his filing bond executed by a duly authorized surety company in the sum of *fifty five* thousand dollars, or upon his making a deposit of securities in like amount and of the character described in §517.14 or of cash, or upon the filing with the department a bond with two or more good and sufficient personal sureties, which personal bond shall be approved by the clerk of the circuit court of the county where such dealer resides.

Section 3. This act shall take effect January 1, 1975.

Amendment 2—On page 1, strike all of lines 3—9 and insert: A bill to be entitled An act relating to the sale of securities; amending §517.12(4), Florida Statutes; providing for filing a fifty thousand dollar surety bond by a dealer, not a member of securities investors protection corporation; amending §§517.13—517.15, Florida Statutes, providing for a fifty thousand dollar bond; providing an effective date.

On motion by Senator Johnson, by two-thirds vote HB 972 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gordon	Myers	Ware
Brantley	Graham	Peterson	Weber
Childers	Gruber	Poston	Williams
Deeb	Henderson	Saylor	Wilson
de la Parte	Johnson	Sims	Winn
Firestone	Lane (31st)	Smathers	Zinkil
Gallen	Lane (23rd)	Stolzenburg	
Gillespie	Lewis	Sykes	
Glisson	McClain	Trask	

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

SB 589—A bill to be entitled An act relating to the game and fresh water fish commission; making the importation, for sale or use, of certain subhuman primates without a permit illegal; providing for the issuance of permits; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 589 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gordon	Myers	Vogt
Brantley	Graham	Peterson	Ware
Childers	Gruber	Poston	Williams
Deeb	Henderson	Saylor	Wilson
de la Parte	Johnson	Sims	Winn
Firestone	Lane (31st)	Smathers	Zinkil
Gallen	Lane (23rd)	Stolzenburg	
Gillespie	Lewis	Sykes	
Glisson	McClain	Trask	

Nays—None

On motion by Senator Brantley, unanimous consent was obtained to take up out of order—

HB 3041—A bill to be entitled An act relating to insurance; amending section 627.351, Florida Statutes, 1973 Supplement, by adding subsection (8); providing that the department shall, after consultation with those insurers authorized to transact workmen's compensation and employers liability insurance or only employers liability insurance, adopt a reasonable plan for the apportionment of such insurance for applicants who are in good faith entitled to but are unable to procure such insurance through ordinary means; providing that when such plan is adopted, all insurers authorized to transact such insurance shall subscribe to and participate in the plan; providing that the plan shall include rules for the classification of risks and rates; providing an effective date.

—which was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Brantley and adopted:

Amendment 1—On page 1, line 24, strike everything after the enacting clause and insert: Section 1. Subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plan.—

(6) The department shall require all *insurers licensed to transact property insurance in this state*, ~~authorized insurers~~ and eligible unauthorized foreign insurers that issue policies in Florida providing windstorm coverage on properties in this state, to provide windstorm coverage to applicants from said area who in good faith are entitled to, but are unable to procure, such coverage through ordinary means, or it shall adopt a reasonable plan or plans for the equitable apportionment or sharing among such insurers of windstorm coverage. For the purpose of this section, "properties" eligible for such windstorm coverage are defined as dwellings, buildings, and other structures, including mobile homes which are used as dwellings and which are tied down in compliance with mobile home tie-down requirements prescribed by the department, and the contents of all such properties. Any such plan shall provide a formula whereby a company voluntarily providing windstorm

coverage in affected areas will be relieved wholly or partially from apportionment. The plan may include rules for classification of risks and rate modifications therefor. When such plan has been adopted, all such insurers shall subscribe thereto and participate therein. The liability of an insurer required to share in coverage provided by the plan for windstorm catastrophe losses occurring during any one calendar year shall be limited to an amount equal to 5 percent of that portion of the statutory policyholders' surplus of the insurer at December 31 of the preceding calendar year allocable to the insurer's Florida operations. Policyholders' surplus allocable to Florida operations shall, for the purpose of this section, be considered to be the same percentage of the company's total policyholders' surplus that an insurer's Florida direct written premiums for the preceding calendar year for all lines of insurance bear to that insurer's total direct written premiums. In the event total windstorm losses incurred in any one calendar year exceed the 5 percent limitation set out above for all insurers participating and incurring losses in the plan, such limitation shall be increased by additional percentage points until the funds so developed are sufficient to provide payment for such incurred losses. On such coverage, an agent's remuneration shall be that amount of money payable to him by the terms of his contract with the company with which the business is placed. However, no commission will be paid on that portion of the premium which is in excess of that company's standard premium.

Section 2. This act shall take effect July 1, 1974.

Amendment 2—On page 1, strike lines 3-20 and insert: A bill to be entitled: An act relating to insurance; amending subsection (6) of section 627.351, Florida Statutes; authorizing the Department of Insurance to require all insurers licensed to transact property insurance in this state, and eligible unauthorized foreign insurers that issue policies in Florida providing windstorm coverage, to provide windstorm coverage to those who are unable to procure such coverage through ordinary means or to adopt a reasonable plan or plans for the equitable apportionment or sharing among such insurers of windstorm coverage; providing an effective date.

On motion by Senator Brantley, by two-thirds vote HB 3041 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Glisson	Lewis	Stolzenburg
Brantley	Gordon	McClain	Sykes
Childers	Graham	Myers	Trask
Deeb	Gruber	Peterson	Vogt
de la Parte	Henderson	Pettigrew	Ware
Firestone	Johnson	Poston	Wilson
Gallen	Lane (31st)	Saylor	Winn
Gillespie	Lane (23rd)	Smathers	Zinkil

Nays—None

HB 3914—A bill to be entitled An act relating to prestige license plates; amending section 320.0805(8)(a)3., F.S., providing for distinctive license plates for members of various organizations; providing a maximum of eighteen digits on the plate; providing an effective date.

—was read the second time by title.

Senator Stolzenburg moved the following amendments which were adopted:

Amendment 1—On page 1, lines 13 through 28, strike all of Section 1 and insert the following:

Section 1. Paragraph (a) of subsection (8) of section 320.0805, Florida Statutes, is amended to read:

320.0805 Personalized prestige license plates.—

(8)(a) Personalized prestige automobile license plates shall consist of three types of plates as follows:

1. A plate imprinted with numerals only. Such plates shall consist of numerals from one to nine hundred and ninety-nine inclusive.

2. A plate imprinted with capital letters only. Such plates shall consist of capital letters "A" through "Z" and shall be limited to a total of seven of the same or different capital letters. A hyphen may be added in addition to the seven letters.

3. A plate imprinted with both capital letters and numerals. Such plates shall consist of no more than a total of seven characters, including both numerals and capital letters in any combination, except those plates issued to and bearing the names of organizations, in which case the letters and numerals shall be of such size, if necessary, as to accommodate a maximum of eighteen digits. A hyphen may be added in addition to the seven characters if desired or needed. However, plates consisting of the four capital letters "PRES" preceded or followed by a hyphen and numerals of one to nine hundred ninety-nine shall be reserved for issuance only to applicants who qualify as members of the press and who are associated with or employees of the reporting media.

Amendment 2—In title, strike lines 5, 6, 7 and 8 and insert: amending section 320.0805(8)(a), F.S., providing for insertion of a hyphen on plates consisting of letters only; providing for distinctive license plates for members of various organizations; providing a maximum of eighteen digits on the plate;

On motion by Senator Poston, by two-thirds vote HB 3914 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Gordon	Myers	Vogt
Brantley	Graham	Peterson	Ware
Childers	Gruber	Pettigrew	Wilson
de la Parte	Henderson	Poston	Winn
Firestone	Lane (31st)	Smathers	Zinkil
Gallen	Lane (23rd)	Stolzenburg	
Gillespie	Lewis	Sykes	
Glisson	McClain	Trask	

Nays—None

SM 900—A memorial to the Congress of the United States requesting restoration of citizenship of General Robert E. Lee.

—was read the second time.

Senator Henderson moved the following amendment which was adopted:

Amendment 1—On page 1, line 8, strike "legislature" and insert: Senate

On motion by Senator Henderson, SM 900 as amended was read in full, unanimously adopted and ordered engrossed.

Co-Introducer

Senator Wilson was recorded as a co-introducer of SM 900.

HB 3136—A bill to be entitled An act relating to medical malpractice insurance; creating §624.431, Florida Statutes, requiring professional liability insurers of medical practitioners or osteopathic practitioners to report at least annually to the department of insurance any medical malpractice claims or actions brought against any such insured; providing specified contents of the reports; requiring the department of insurance to maintain the reports and their confidential nature; exempting the insurers and the department of insurance from liability for compliance with this act; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote HB 3136 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Graham	Peterson	Stolzenburg
Childers	Gruber	Pettigrew	Sykes
de la Parte	Johnson	Poston	Vogt
Firestone	Johnston	Saylor	Ware
Gallen	Lane (23rd)	Scarborough	Williams
Glisson	McClain	Sims	Wilson
Gordon	Myers	Smathers	Winn

Nays—None

LOCAL CALENDAR

Consideration of Senate Bills 199 and 693 was deferred.

SB 746—A bill to be entitled An act relating to Broward County; amending §§1—3, 9, 11 and 12, chapter 65-1345, Laws of Florida, as amended; changing the name of Topeekeegee Yugnee Park district and commission to South Broward Park district and commission; changing the membership and appointing procedure for members of the commission; authorizing the commission to establish additional parks within the district; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 746 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gruber	Pettigrew	Vogt
Childers	Henderson	Poston	Ware
Deeb	Johnson	Saunders	Williams
de la Parte	Johnston	Sayler	Wilson
Firestone	Lane (31st)	Scarborough	Winn
Gallen	Lane (23rd)	Sims	Zinkil
Gillespie	McClain	Smathers	
Glisson	Myers	Sykes	
Graham	Peterson	Trask	

Nays—2

Stolzenburg Weber

Consideration of Senate Bills 1088 and 1098 was deferred.

SB 1105—A bill to be entitled An act relating to Duval County, Florida, community education program; providing a method for delegation of school board powers and duties as defined in the Florida community school act of 1970, as amended; providing for continuing relationship with State of Florida department of education; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote SB 1105 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1106 was taken up and on motion by Senator Scarborough—

HB 4135—A bill to be entitled An act relating to the Jacksonville Electric Authority; amending Chapter 67-1569, Laws of Florida, as amended; providing for notice of and public hearing on the fixing of rates by the authority; authorizing contracts not to exceed a twenty (20) year term for the procurement of fuel but requiring prior approval of the council of the city for certain contracts amending the contracting and purchasing procedures of the authority to permit acceptance of multiple low bids and dissimilar low bids under certain conditions; exempting from bid provisions the procurement of fuel when reasonably procurable only through negotiation; exempting from bid provisions products and services necessary for nuclear powered generation facilities; exempting from bid provisions the procurement of fuel in the spot market; requiring approval of the purchases under the bid exemptions by the chief purchasing officer of the City of Jacksonville; providing a termination for the amendments to the contracting and purchasing procedures of the authority; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 4135 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1106 was laid on the table.

SB 1107 was taken up and on motion by Senator Vogt—

HB 4173—A bill to be entitled An act relating to Brevard County and local governments; prohibiting all local governmental units levying ad valorem taxes in Brevard County from increasing ad valorem tax revenues in excess of ten percent in any one year without an affirmative vote of the voters; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator Vogt moved the following amendments which were adopted:

Amendment 1—On page 1, line(s) 18 & 19, strike "operation funds is in excess of ten percent (10%) of" and insert: operating funds exceeds by 10 percent

Amendment 2—On page 2, line(s) 4 & 5, strike everything after the word "budget" and insert: in which the ad valorem tax revenues for operating funds for the budget do not exceed ten percent of the ad valorem tax revenues for operating funds of the preceding year, exclusive of the revenues to be raised from new construction and improvements not appearing on the previous year's assessment roll.

Amendment 3—On page 1, line(s) 6 thru 9, insert: units from increasing their ad valorem revenues for operating budgets in excess of the ten percent over the previous year without an affirmative vote of the voters; providing an effective date.

On motion by Senator Vogt, by two-thirds vote HB 4173 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1107 was laid on the table.

SB 1108 was taken up and on motion by Senator Scarborough—

HB 4131—A bill to be entitled An act amending section 11 of Chapter 67-1569, Laws of Florida, to permit the Jacksonville Electric Authority to contract for the acquisition and construction of nuclear powered or other large generation plants and facilities when revenue certificates or bonds to finance the cost thereof have been authorized and validated, and to

permit said revenue certificates or bonds to be sold in installments as funds are needed to make payments under any such contract; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator Brantley offered the following amendments which were adopted on motion by Senator Scarborough:

Amendment 1—On page 2, line 4, strike Between "Dollars" and before "have been" strike "(\$10,000.00)" and insert: Between "Dollars" and before "have been" insert "(\$10,000,000.00)"

Amendment 2—On page 2, line 8, insert: After "facilities," and before "and may" "provided, however, a legal and binding contract may be agreed upon and executed by the parties and made conditional and/or contingent upon and prior to the acquisition of lands or said property and prior to the authorization, validation, and issuance of bonds as provided above;"

Amendment 3—On page 2, line 12 and 13, strike Between "effective on" and "regardless of" "July 1, 1974" and insert: Between "effective on" and "regardless of" "June 1, 1974"

On motion by Senator Scarborough, by two-thirds vote HB 4131 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1109 was taken up and on motion by Senator Scarborough—

HB 3601—A bill to be entitled An act amending section 18-05 of Chapter 67-1320, Laws of Florida, as amended, by adding a new subsection (4) thereto so as to permit handicapped persons to participate in any retirement and pension system of the City of Jacksonville provided said person satisfies the examination provisions herein; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 3601 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1109 was laid on the table.

Consideration of SB 1112 was deferred.

SB 1113—A bill to be entitled An act relating to the City of Madison, Madison County; amending §6, chapter 23390, Laws of Florida, 1945; extending and defining the boundaries of the city; providing an effective date.

—was read the second time by title. On motion by Senator Horne, by two-thirds vote SB 1113 was read the third time by title, passed and certified to the House.

The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1114—A bill to be entitled An act relating to Broward County, amending Chapter 71-561, Laws of Florida, Special Acts of 1971, which created the Broward County transportation authority by amending Section 5 (8) to provide that the authority may utilize the comptroller of Broward County, Florida to be custodian of the funds of Broward County transportation authority.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote SB 1114 was read the third time by title, passed and certified to the House.

The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1115—A bill to be entitled An act relating to Broward County; relating to tax assessments and providing a method of millage; providing that governing bodies of counties, municipalities and other taxing districts shall decrease the millage required of such county or district in proportion to the increase of the general level of assessed valuation of property; authorizing a ten (10) percent increase in millage; providing for further millage increases in emergencies subject to limitations and review by the county budget commission; providing for verification of budgets and millage increases; providing an effective date.

—was read the second time by title.

Senator Weber moved the following amendment which was adopted:

Amendment 1—On page 9, line 6, strike "bill" and insert: act

On motion by Senator Lane (31st), by two-thirds vote SB 1115 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1116—A bill to be entitled An act relating to Broward County, amending Chapter 72-407, Laws of Florida, General Acts of 1972 (Section 28.12(a), Florida Statutes) which created the county comptroller for Broward County, to provide for the comptroller to be the custodian of funds of the Broward County transportation authority; and to provide an effective date.

—was read the second time by title.

Senator Weber moved the following amendments which were adopted:

Amendment 1—On page 1, line 15, after "Statutes" insert: , as enacted by Chapter 72-407, Laws of Florida, General Acts of 1972,

Amendment 2—On page 1, line 24, after "shall" insert: , upon request,

On motion by Senator Lane (31st), by two-thirds vote SB 1116 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1117—A bill to be entitled An act relating to Escambia, Santa Rosa, Okaloosa and Walton counties; providing a straw vote referendum on the question of ratification of the United States constitutional amendment on equal rights for both sexes; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 1117 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1121—A bill to be entitled An act relating to the Santa Rosa Island Authority; adding subsection (13) to §2, chapter 24500, Laws of Florida, 1947, as amended; empowering the county commissioners of Escambia County to veto any act of the Santa Rosa Island Authority; providing an effective date.

—was read the second time by title.

Senator Johnson moved the following amendment which was adopted:

Amendment 1—On page 1, strike lines 19 through 27 and insert: (13) To give written notice within 15 days that they desire to consider the veto of any act relating to zoning, multi-family structures, use of undeveloped lands or capital improvements in excess of \$10,000, and to veto any such act within 60 days of such written notification. The county commission may by formal resolution approve any such act on the part of the authority thereby waiving the time herein set out and upon adoption thereof, such act shall take effect. Nothing herein contained shall affect the required approval by the authority of the transfer of title to any outstanding lease.

This section shall not apply to plans for development which have been approved by the Island Authority prior to the effective date of this act.

On motion by Senator Johnston, by two-thirds vote SB 1121 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1122—A bill to be entitled An act relating to the Santa Rosa County beach administration; adding subsection (13) to §2, chapter 27881, Laws of Florida, 1951; empowering the county commissioners of Santa Rosa county to veto any act of the Santa Rosa county beach administration; amending §3 (b) and (d), chapter 27881, Laws of Florida, 1951, as amended by § 1, chapter 59-1822, Laws of Florida; providing that said administration consists of five members; providing that three members constitute a quorum and that action may be taken upon the affirmative vote of three members; providing an effective date.

—was read the second time by title.

Senator Johnston moved the following amendment which was adopted:

Amendment 1—On pages 1 and 2, strike lines 24 through 29 on page 1 and lines 1 through 3 on page 2 and insert: (13) To give written notice within 15 days that they desire to consider the veto of any act relating to zoning, multi-family structures, use of undeveloped lands or capital improvements in excess of \$10,000, and to veto any such act within 60 days of such written notification. The county commission may by formal resolution approve any such act on the part of the authority thereby waiving the time herein set out and upon adoption thereof, such act shall take effect. Nothing herein contained shall affect the required approval by the authority of the transfer of title to any outstanding lease. This section shall not apply to plans for development which have been approved by the Island Authority prior to the effective date of this act.

On motion by Senator Johnston, by two-thirds vote SB 1122 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1123—A bill to be entitled An act relating to the Okaloosa Island Authority; adding subsection (18) to §2, chapter 29336, Laws of Florida, 1953, as amended; empowering the county commissioners of Okaloosa county to veto any act of the Okaloosa Island Authority; amending §3(b), chapter 29336, Laws of Florida, 1953; providing that the county commissioners of Okaloosa county appoint the members of said authority; repealing §3(i), chapter 29336, Laws of Florida, 1953, as added by §1, chapter 31054, Laws of Florida, 1955, which provides for two additional members of said authority; providing an effective date.

—was read the second time by title.

Senator Johnston moved the following amendment which was adopted:

Amendment 1—On pages 1 and 2, lines 26 through 29 on page 1 and lines 1 through 4 on page 2 insert: (18) To give written notice within 15 days that they desire to consider the veto of any act relating to zoning, multi-family structures, use of undeveloped lands or capital improvements in excess of \$10,000, and to veto any such act within 60 days of such written notification. The county commission may by formal resolution approve any such act on the part of the authority thereby waiving the time herein set out and upon adoption thereof, such act shall take effect. Nothing herein contained shall affect the required approval by the authority of the transfer of title to any outstanding lease.

This section shall not apply to plans for development which have been approved by the Island Authority prior to the effective date of this act.

On motion by Senator Johnston, by two-thirds vote SB 1123, as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1124—A bill to be entitled An act relating to Escambia county; amending §3 of chapter 67-1373, Laws of Florida, as amended, to provide that each member of the Escambia electronic data processing management board receive one hundred dollars per month for expenses and per diem and traveling expenses; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 1124 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1125—A bill to be entitled An act relating to Escambia County; amending §1, chapter 73-457, Laws of Florida; providing that payment of an expense allowance to members of the board of county commissioners and to members of the school board shall be in lieu of per diem and traveling expenses for Class C travel pursuant to section 112.061, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 1125 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1126—A bill to be entitled An Act annexing to the City of St. Petersburg all lands lying within the following line: from a point of intersection at an east line of the city limit line of the City of St. Petersburg, Pinellas County, Florida being at Second Street North and a north line of said city limit line being at the north right-of-way line of Gandy Boulevard, for a point of beginning, run northeasterly following the north right-of-way line of Gandy Boulevard to a point of intersection on the Pinellas County/Hillsborough County boundary line; thence run southerly along said Pinellas County boundary line to a point of intersection with the south right-of-way line of Gandy Boulevard; thence run south westerly following the south right-of-way line of Gandy Boulevard to a northeast corner of St. Petersburg city limit line lying 175 feet to the east of Second Street North; thence run northerly along said city limit line to the point of beginning.

And Also:

All of that portion of I-275 right-of-way bounded on the south by the north line of said city limit line, and bounded on the north by a due east-west line which intersects the center-line of said I-275 at a point lying 6700 feet northeasterly (being measured along said center-line) from the point of intersection of same with the north right-of-way line of Ulmerton Road; and providing an effective date.

On motions by Senator Sayler, by two-thirds vote SB 1126 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1127—A bill to be entitled An act annexing to the City of St. Petersburg all lands lying within the following line: from a point of intersection at a north line of the city limit line of the City of St. Petersburg, Pinellas County, Florida, being at 94th Avenue North, and an east line of said city limit line being at the north extension of Locust Street NE, for a point of beginning, run generally northerly and westerly, along said city limit line to a point of intersection with the north right-of-way line of Gandy Boulevard; thence run northwesterly 8360 feet thereon to a point; thence run northwesterly along a line at right angles to said north right-of-way line to a point of intersection on a line lying 1000 feet northerly from, and parallel to, the center-line of said Gandy Boulevard; thence run northeasterly thereon to a point of intersection on the Pinellas County/Hillsborough County boundary line; thence run southerly along said Pinellas County boundary line to a point of intersection with the east extension of a north line of said city limit line at 94th Avenue North; thence run west along said east extension to a northeast corner of said city limit line being at the main ship channel of Tampa Bay; thence continue west along said north city limit line to the point of beginning.

And Also:

All of that portion of I-275 right-of-way bounded on the south by the north line of said city limit line, and bounded on the north by a due east-west line which intersects the center-line of said I-275 at a point lying 6700 feet northeasterly (being measured along said center-line) from the point of intersection of same with the north right-of-way line of Ulmerton Road; and providing an effective date.

On motions by Senator Sayler, by two-thirds vote SB 1127 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—1

Deeb

SB 1128—A bill to be entitled An act relating to Escambia County; authorizing \$3,000,000 capital improvement bonds of the County and the pledge for the payment of such bonds and interest thereon of certain revenues accruing to the County by law; validating and confirming all acts and proceedings taken and had by the Board of County Commissioners of the County in connection with the authorization and issuance of such bonds; providing an effective date.

On motions by Senator Johnston, by two-thirds vote SB 1128 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

CS for HB 3222—A bill to be entitled An act relating to the City of Castleberry, Seminole County; amending section 4 of chapter 69-927, Laws of Florida, entitled "An act relating to the City of Castleberry, Florida; to provide that the police officers of the City of Castleberry shall be authorized to arrest, without warrant, in fresh pursuit from inside the corporate limits to outside said limits into Orange County for violation of ordinances of the city or state misdemeanors or felonies committed in the presence of such officer in the corporate limits of said city; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote CS for HB 3222 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—1

Gillespie

HB 3238—A bill to be entitled An act repealing Chapter 28991, Laws of Florida, Special Acts of 1953, being an act entitled: An Act authorizing Dade City, Florida, a Municipal Corporation, to acquire, establish, operate and maintain a municipal library and providing for financing the same; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 3238 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—1

Gillespie

HB 3250—A bill to be entitled An act relating to the South Lake Worth Inlet District, Palm Beach County, created by chapter 7080, Laws of Florida, 1915, and all supplementary and amendatory acts, including but not limited to chapter 7977, Laws of Florida, 1919; chapter 8903, Laws of Florida, 1921; chapter 9567, Laws of Florida, 1923; chapter 63-1748, Laws of Florida; chapter 69-1422, Laws of Florida; chapter 69-1426, Laws of Florida; chapter 69-1427, Laws of Florida; chapter 70-865, Laws of Florida; chapter 72-636, Laws of Florida; chapter 72-637, Laws of Florida; chapter 72-638, Laws of Florida; and chapter 72-639, Laws of Florida, to amend section 3 of chapter 7080, Laws of Florida, 1915, to provide that all elections for commissioners in the district shall be as set forth herein; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3250 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

CS for HB 3275—A bill to be entitled An act relating to Sugarland Drainage District, Hendry and Glades Counties; amending charter 18287, Laws of Florida, 1937, as amended; changing the name of the district; authorizing the levy of a special maintenance tax; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote CS for HB 3275 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

CS for HB 3279—A bill to be entitled An act relating to Clewiston Drainage District and changing its name to Clewiston Water Management District; amending: Section 1 of 65-803 to redefine its boundaries, Subsections (3), (4), (5), (6), (7) and (8) of Section 3 of 65-803, as amended by 71-659, relating to the units within the district and changing their boundaries, Section 4 of 65-803 relating to the annual levy of taxes, Section 5 of 65-803 relating to preparation of the budget, Section 6 of 65-803 relating to preparation of tax lists, Section 7 of 65-803 relating to powers of the Board of Supervisors of the District; adding Section 8 relating to the compensation to be paid to the Supervisors of the District; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote CS for HB 3279 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3285—A bill to be entitled An act relating to Flagler County; providing that any governmental board, commission, agency, or other public governmental body in Flagler County may lease, sell, transmit, or convey the title to real or personal property to any other board, commission, agency, or body in the county; providing for adoption of resolutions relating to any such transaction; providing an effective date.

—was read the second time by title. On motion by Senator Gillespie, by two-thirds vote HB 3285 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3299—A bill to be entitled An act relating to the South Lake Worth Inlet District, Palm Beach County, created by chapter 7080, Laws of Florida, 1915, and all supplementary and amendatory acts, including but not limited to chapter 7977, Laws of Florida, 1919; chapter 8903, Laws of Florida, 1921; chapter 9567, Laws of Florida, 1923; chapter 63-1748, Laws of Florida; chapter 69-1422, Laws of Florida; chapter 69-1426, Laws of Florida; chapter 69-1427, Laws of Florida; chapter 70-865, Laws of Florida; chapter 72-636, Laws of Florida; chapter 72-637, Laws of Florida; chapter 72-638, Laws of Florida; and chapter 72-639, Laws of Florida, to amend section 23 of chapter 7080, Laws of Florida, 1915, by providing for an increase in the number of meetings for which members of the board of commissioners may be compensated for expenses from two (2) to four (4), increasing the maximum total monthly reimbursement for members of the board from one hundred dollars (\$100) to two hundred dollars (\$200); clarifying the language of said section; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3299 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of House Bills 3332 and 3333 was deferred.

HB 3469—A bill to be entitled An act relating to St. Lucie County; providing for the apportionment, distribution, and use

between the board of county commissioners of St. Lucie County, the district school board of St. Lucie County, and district board of trustees of Indian River Community College, Fort Pierce, of all moneys received by St. Lucie County under provisions of chapter 14832, Laws of Florida, 1931, or any amendment or amendments thereto, or other laws providing for the revenue from licensed race tracks in this state; providing that said moneys shall be paid by the state treasurer on separate warrants drawn by the comptroller to said boards, and restricting the disbursements of the moneys; repealing all laws and parts of laws in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3469 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3513—A bill to be entitled An act amending chapter 18615, Laws of Florida, Special Acts of 1937, as amended, to require that members of police and fire department of the City of Jacksonville who are participating in the pension funds established thereby, contribute eight and one-half per centum per annum of all salaries or wages paid to said members until a certain time, and thereafter to require that said members shall contribute eight per centum per annum of all salaries or wages paid to said members; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 3513 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3527—A bill to be entitled An act relating to Martin County; prohibiting persons fishing on the ocean beaches of Martin County from using more than two (2) fishing poles; providing for a penalty for violation.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3527 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3544—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, and particularly to the Pension Fund for Firefighters and Police Officers of the City of Tampa; authorizing, empowering, and directing the city to enter into

supplemental contracts with certain firefighters and police officers to provide for the vesting of pension rights and for a deferred pension after twenty (20) years actual service; extending such benefits to certain employees heretofore separated from service; ratifying the pension contract prescribed by ordinance of the city pursuant to chapter 31310, Laws of Florida, 1955; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 3544 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3600—A bill to be entitled An act relating to election of members of the civil service board of the City of Jacksonville; amending section 19.02 of Chapter 67-1320, Laws of Florida, as amended; providing expiration dates for all civil service board members; providing for election at large of all members at such time as shall be designated by the city council in 1975 and thereafter; providing for a monthly salary, election of a chairman, and minimum quorum requirements; providing a method for filling board vacancies; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 3600 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3602—A bill to be entitled An act relating to local government; amending subsection 7.403 (B) (2) and (3) of Chapter 67-1320, Laws of Florida, as amended, to provide that when position in local health unit under City of Jacksonville's civil service system becomes vacant and state department of administration creates equivalent position in state career service system, said city position shall be abolished without necessity for action by city civil service board and that all employees, whether under city civil service system or under state career service system, eligible to take promotional examination for new state position may do so; providing that any person appointed to new state position shall automatically become member of state career service system, whether or not he was member thereof before said appointment; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 3602 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3888—A bill to be entitled An act relating to Palm Beach County; relating to the authority of Palm Beach County to establish an environmental control board; amending chapter 70-862, Laws of Florida, by amending §5(c) to delete references to the department of air and water pollution control, the Federal Water Pollution Control Administration and the United States Public Health Service, and the division of health; amending §6 by providing for appointment of an environmental control officer by the environmental control board after considering recommendations by the county health director; amending §7 to provide for the duties, functions, powers, and responsibilities of the environmental control officer; amending §§10(a), 13(a) and (b) by deleting references to the county solicitor and inserting in place of those references the title of state attorney; amending §17(b) to delete references to the department of air and water pollution control; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3888 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3889—A bill to be entitled An act relating to Palm Beach County; authorizing a countywide solid waste disposal authority; providing for declaration of legislative intent; providing for definitions; providing for the creation of a countywide solid waste disposal authority; providing for application to incorporated and unincorporated areas; providing for countywide programs; providing for purposes and powers; providing for exemption from taxation; providing for issuance of bonds; providing for loans and grants; providing for supervisory powers; prohibiting certain acts; providing for violations and penalties; providing for enforcement procedure; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3889 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3890—A bill to be entitled An act relating to Palm Beach County; providing for several countywide building codes for construction; providing for their applicability to municipalities and unincorporated areas; providing for building inspectors; providing for minimum standards; providing for repeal of any conflicting laws; providing for addenda; providing for the availability of building codes and addenda; providing a means of interpretation and regional inspectors; providing for a building code advisory board; providing for application to all construction; providing for the deletion of any provisions that are unconstitutional; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3890 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3891—A bill to be entitled An act relating to Manatee County; amending chapter 25996, Laws of Florida, 1949, relating to the Whitfield Zoning District; amending §1 to clarify the intent of said chapter in creating a special zoning district, to provide a new legal description of said district and to authorize the election of a treasurer; amending §3 to provide that lands be used or occupied for single family private residential and dwelling purposes; amending §6 to authorize the Zoning Commission to regulate and restrict the use of land and water for certain purposes for the protection of the health, safety and welfare of the district and to prohibit certain types of vehicles; amending §8 to provide that regulations be designed to protect the natural resources; repealing §11 relating to the Zoning Committee; amending §12 to delete a reference to the Zoning Committee; amending §13 to delete a reference to Bradenton; amending §14 to provide that each day a violation continues shall constitute a separate offense to be prosecuted by the state attorney and to provide a penalty; ratifying and confirming actions of the Whitfield Zoning Board; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 3891 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—None

Disqualification From Voting under Rule 1.36

As attorney of record in two civil matters affecting the Whitfield Zoning District.

Tom Gallen, 24th District

HB 3892—A bill to be entitled An act relating to the City of Plant City, Hillsborough County; amending §3 of chapter 13282, Laws of Florida, 1927, of the municipal charter as amended by §2, chapter 31184, Laws of Florida, 1955, chapter 57-1742, Laws of Florida, and chapter 67-1935, Laws of Florida; enlarging and redefining the corporate boundaries; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 3892 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3899—A bill to be entitled An act relating to Okaloosa County, Ocean City-Wright Fire Control District; amending chapter 73-565, Laws of Florida, providing for a referendum election to be held on September 10, 1974, on the levy of an ad valorem tax against taxable real estate in the district for funding of the Ocean City-Wright Fire Control District; providing an effective date.

—was read the second time by title.

Senator Childers moved the following amendment which was adopted:

Amendment 1—On page 2, strike all of lines 8 and 9

On motion by Senator Childers, by two-thirds vote HB 3899 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3904—A bill to be entitled An act relating to the City of Lake Alfred, Polk County; extending the present territorial limits of the municipality to include therein all of the waters of certain lakes contiguous to the present limits of said city, to wit: the waters of Lake Alfred, Haines, Rochelle, Echo, and Cummings, said lakes lying and being within Townships 27 and 28 South, Range 26 East, in Polk County; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 3904 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3900—A bill to be entitled An act relating to Polk County; amending section 1 of chapter 69-1503, Laws of Florida; raising funds and providing for the expenditure of such funds for the Polk County Legal Aid Society, Inc.; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 3900 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3910—A bill to be entitled An act relating to the Hillsborough County environmental protection commission; amending chapter 67-1504, as amended by chapter 73-496, Laws of Florida; providing for inspections in the performance of duties of the director relating to pollution control; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd) by two-thirds vote HB 3910 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of HB 3917 was deferred.

HB 3918—A bill to be entitled An act relating to Hillsborough County, Division of Children's Services; amending §3 of chapter 69-1144, Laws of Florida, to exclude reference to the county detention homes; amending §5 of chapter 69-1144, Laws of Florida, redefining the types of children to which the Division may provide care and the means by which such care may be provided; amending §6 of chapter 69-1144, Laws of Florida, to delete references to detention home and juvenile home and redefining the types of children to receive care; amending §7 of chapter 69-1144, Laws of Florida, to redefine the types of children regarding whom statistical data are to be compiled; amending §11 of chapter 69-1144, Laws of Florida, as created by chapter 70-711, Laws of Florida, to increase the maximum advisory board membership from twelve to fifteen; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 3918 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3925—A bill to be entitled an Act Relating to Lee County schools; authorizing The School Board of Lee County, Florida, to acquire land, construct, enlarge, improve, repair, remodel, equip and furnish schools, school facilities, school administrative facilities, and all necessary appurtenances within the school district of Lee County; authorizing the issuance of revenue bonds, secured by and payable from the portion of the race track funds and jai alai funds accruing annually to Lee County pursuant to the provisions of Chapters 550 and 551, and allocated to the Board, to pay the costs of such projects; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 3925 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gallen	Henderson	Lewis
Childers	Gillespie	Johnson	McClain
Deeb	Glisson	Johnston	Myers
de la Parte	Graham	Lane (31st)	Peterson
Firestone	Gruber	Lane (23rd)	Pettigrew

Poston	Sims	Trask	Wilson
Saunders	Smathers	Vogt	Winn
Sayler	Stolzenburg	Ware	Zinkil
Scarborough	Sykes	Williams	

Nays—None

HB 3928—A bill to be entitled An act creating a civil service system for employees of the office of the sheriff of Lee County; creating a civil service board, providing for said board's powers, duties and qualifications; providing for a table of organization and a certification by the sheriff that the office is properly and sufficiently organized and capable of operation under the civil service rules adopted pursuant hereto; providing for a waiver of those who have been employed by the sheriff for at least one (1) year prior to the time this act becomes operational; providing for classification of employees; providing for hearings and appeals; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 3928 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3930—A bill to be entitled An act relating to Lee County, Florida Club Beverage Licenses; exemption and excepting the Sandpiper Club, Inc., a non-profit corporation under the Laws of Florida, from the provisions of section 565.02(4) as the same relates to the period of time that a non-profit club is required to have been in continuous active existence and operation before becoming entitled to a license under the provisions thereof; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 3930 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3933—A bill to be entitled An Act relating to Orange County, Florida; repealing Chapter 63-1703, Laws of Florida, which granted to the Board of County Commissioners of Orange County the power to acquire and construct an athletic field, stadium, parks, recreational fields, a zoological park, necessary roads, walkways and parking areas; and creating an Advisory Board to be known as the Orange County Recreation Board; providing for the issuance of revenue bonds; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 3933 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Firestone	Graham	Johnston
Childers	Gallen	Gruber	Lane (31st)
Deeb	Gillespie	Henderson	Lane (23rd)
de la Parte	Glisson	Johnson	Lewis

McClain	Saunders	Stolzenburg	Williams
Myers	Sayler	Sykes	Wilson
Peterson	Scarborough	Trask	Winn
Pettigrew	Sims	Vogt	Zinkil
Poston	Smathers	Ware	

Nays—None

HB 3934—A bill to be entitled An act relating to Orange County, Florida; repealing Chapter 65-2005, Laws of Florida, which granted to the Board of County Commissioners of Orange County, the power acting alone or jointly with one or more governmental bodies to acquire, construct, extend, enlarge, repair, improve, maintain and operate in Orange County athletic fields, stadiums, music halls, convention buildings, parks, recreation facilities, zoological parks and necessary buildings, structures, facilities, improvements, roads, walkways and off-street parking areas for use in connection therewith; providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 3934 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3935—A bill to be entitled An Act relating to the Orange County Waste Collection and Disposal System; amending Section 6, sub-paragraph 11, of Chapter 69-1871, Laws of Florida, to delete the provision limiting the appropriation and expenditure from the general revenue fund for the purpose of paying a portion of the cost and expenses for the maintenance and operation of the Orange County Waste Collection and Disposal System to \$100,000 in any one fiscal year; providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 3935 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3936—A bill to be entitled An Act relating to zoning in Orange County; amending Section 12, subparagraph (a), of Chapter 63-1716, Laws of Florida, to provide that the Board of Zoning Adjustment is to act in an advisory capacity to the Board of County Commissioners; amending Section 13 of Chapter 63-1716, as amended by Section 4 of Chapter 71-795, all Laws of Florida, to provide that the Board of Zoning Adjustment shall make recommendations to the Board of County Commissioners on appeals from decisions of the Planning and Zoning Director, and the granting of special exceptions and variances, and providing that the Board of County Commissioners must take official action on such recommendations which may either adopt, reject, or modify, after public hearing, such recommendations before becoming effective; providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 3936 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3937—A bill to be entitled An act relating to Air and Water Pollution Control in Orange County, Florida; amending Section 11 of Chapter 67-1830, Laws of Florida to create additional judicial remedies to be used by the pollution control officer of Orange County in enforcing rules and regulations relating to pollution; providing for the recovery of damages and civil penalties; amending Section 18 of Chapter, 67-1830, Laws of Florida to provide additional civil penalties; providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 3937 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3938—A bill to be entitled An Act relating to fire control districts in Orange County, Florida; amending Section 2 of Chapter 67-1821, as amended by Chapter 71-805, Laws of Florida, to provide in sub-paragraph (1) that an election to create a fire control district may be called by the Board of County Commissioners by resolution, deleting in sub-paragraph (2) the reference to special primary election and voting by freeholders and providing that the Board of County Commissioners may require that the County be reimbursed for the expenses of an unsuccessful election; amending Section 3 of Chapter 67-1821, Laws of Florida, to add a sub-section (1) to provide that the Board of County Commissioners may declare its intention by resolution to create a new fire control district, providing for the procedure for establishment of such a district, amending the existing Section 3 to provide a sub-section (2), to delete the requirement for contiguity and precinct size for the annexation to an existing district, and deleting the reference to freeholders; amending Section 4 of Chapter 67-1821, Laws of Florida, to delete the requirement that an area to be annexed to a fire control district be contiguous thereto; amending Section 5 of Chapter 67-1821, Laws of Florida, to delete the reference to freeholders; amending Section 8 of Chapter 67-1821, Laws of Florida, as amended by Chapter 69-1380, all Laws of Florida, to amend sub-paragraph (2) and sub-paragraph (4) by deleting the reference to freeholders; by creating a Section 18 of Chapter 67-1821, Laws of Florida, to provide that the Board of County Commissioners may, by resolution, change the boundaries of fire control districts from one district to another; amending Section 20 of Chapter 67-1821, Laws of Florida, to provide that districts created by special election are ratified and confirmed; providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 3938 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Firestone	Graham	Johnston
Childers	Gallen	Gruber	Lane (31st)
Deeb	Gillespie	Henderson	Lane (23rd)
de la Parte	Glisson	Johnson	Lewis

McClain	Saunders	Stolzenburg	Williams
Myers	Sayler	Sykes	Wilson
Peterson	Scarborough	Trask	Winn
Pettigrew	Sims	Vogt	Zinkil
Poston	Smathers	Ware	

Nays—None

HB 3939—A bill to be entitled An act relating to the South-western Palm Beach County Public Hospital Board; providing for ambulance service authority; amending §18 of chapter 26107, Laws of Florida, 1949; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3939 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3941—A bill to be entitled An act relating to the Boca Grande Fire Control District; amending Section 3, Chapter 22372, Laws of Florida, 1943, to allow Board to lease property as deemed necessary for fire control purposes.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 3941 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3945—A bill to be entitled An act relating to Martin County; repealing chapter 63-1614, Laws of Florida, which authorizes the county health department to issue permits for the operation of child-care centers, and which provides for standards, rules, and regulations with respect to such centers; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3945 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3947—A bill to be entitled An act relating to Jupiter Inlet District, Palm Beach County, a special taxing district established by chapter 8910, Laws of Florida, 1921; amending said act creating and incorporating the district, and any subsequent amendments or supplements to said act, in order to re-

vise the boundaries of the district by adding certain described lands to the district as previously prescribed, and by deleting certain other described lands from same; establishing a new legal description of the boundaries of the district to replace that description contained in §1 of the prior acts or amendments or supplements aforesaid; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3947 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3953—A bill to be entitled An act relating to the City of Boca Raton, Palm Beach County; creating a special taxing district for the acquisition of beach property; specifying area of district; creating a board of commissioners for the district; providing that commissioners may be required to post a bond; providing purposes of the district; providing powers and duties of the board; providing procedures for payment of district funds and for purchases by district; providing a procedure for levy and collection of taxes; providing for the payment of expenses; providing for liberal construction of the act; providing for severability; providing for a referendum.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3953 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3961—A bill to be entitled An act relating to the Town of Penney Farms, Clay County; repealing chapters 13253, 1927, 20055, 1939, 57-1712 and 71-844, Laws of Florida; establishing and amending the town charter; establishing a successor municipality to be known as the Town of Penney Farms; providing for continuation of government; fixing its powers and duties; establishing its organization; providing for qualifications of members of the town council and their election; providing for a referendum.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote HB 3961 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None.

HB 3970—A bill to be entitled An act relating to Charlotte County, dissolving and terminating charlotte county develop-

ment authority; providing for the vesting of title to property; transferring powers; providing for the assumption of liabilities; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 3970 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3971—A bill to be entitled An act relating to Lake Orange and Seminole counties; prohibiting the discharge of firearms on or over the Wekiwa or the Little Wekiwa rivers; providing penalties for violations; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote HB 3971 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3972—A bill to be entitled An act relating to Palm Beach County; amending §§6, 9, 10, 11, 13, 17 and 20 of chapter 65-2063, Laws of Florida, increasing from four (4) to five (5) the number of members of the Palm Beach County planning board which shall constitute a quorum; providing for the power and responsibility of incorporated municipalities within Palm Beach County to plan future development; requiring the adoption of a comprehensive plan by Palm Beach County and each municipality within Palm Beach County; providing for coordination of all local plans by the board with a regional comprehensive plan; providing a purpose and effect of the regional plan; requiring the board to prepare periodic reports on the regional plan to each local governmental unit; providing contents of the periodic reports; permitting the board to revise any local comprehensive plan in conflict with the regional plan; providing for effect of regional plan on local governmental units; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3972 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3973—A bill to be entitled An Act relating to Palm Beach County; amending §1 of chapter 27808, Laws of Florida, 1951, as amended by chapter 59-1697, Laws of Florida, authorizing

the taxation of certain additional filing fees in the circuit court in and for Palm Beach County by providing for the collection of said fees by the clerk of the circuit court, by allocating fees to the use of the Legal Aid Society of Palm Beach County, Inc.; repealing all laws or parts of laws in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3973 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3979—A bill to be entitled An act relating to the City of Ocala, Marion County; Amending Chapter 67-1782, Special Acts of the State of Florida 1967, to change certain provisions concerning the date elected council members shall take office and when the council president and council president pro tem shall be elected to office; amending subsections (c) and (d), of Section 2.01, Article II, and Section 8.03 of Chapter 67-1782, Laws of Florida, Acts of 1967; providing an effective date.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote HB 3979 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—1

Gillespie

HB 3981—A bill to be entitled An act relating to Broward County amending sections of Chapter 71-575, Laws of Florida, Special Acts of 1971; as amended by Chapter 72-482, Laws of Florida, Special Acts of 1972; as amended by Chapter 72-485, Laws of Florida, Special Acts of 1972; as amended by Chapter 73-427, Laws of Florida, Special Acts of 1973; amending Section 3 of Chapter 71-575 to require competent and qualified building inspectors and requiring certification of building departments by the Board of Rules and Appeals after determining the building inspectors are competent and qualified; amending Section 201 of the South Florida Building Code by deleting the provision rendering Section 201 inapplicable to persons acting as building officials on the effective date of this Ordinance; amending Section 4 to prohibit an inspector from engaging in competition with firms or persons whose work he inspects; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 3981 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gillespie	Johnston	Peterson
Childers	Glisson	Lane (31st)	Pettigrew
Deeb	Graham	Lane (23rd)	Poston
de la Parte	Gruber	Lewis	Saunders
Firestone	Henderson	McClain	Sayler
Gallen	Johnson	Myers	Scarborough

Sims
Smathers
Stolzenburg

Sykes
Trask
Vogt

Ware
Williams
Wilson

Winn
Zinkil

Nays—None

HB 3982—A bill to be entitled An act relating to Broward County, amending Chapter 24415, Laws of Florida, Special Acts of 1947, relating to the South Broward Hospital District, amending Section 7 of said act to authorize the Board of Commissioners of South Broward Hospital District to establish schools or training programs for doctors' residency, nurses, paramedics, medical technicians and other technically trained people in the medical or related fields and to expend money or give other assistance, on a cooperative basis, with educational or vocational schools for training or education in such fields; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 3982 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3984—A bill to be entitled An Act relating to Broward County, repealing Chapter 25711, Laws of Florida, Special Acts of 1949, which required the appointment of a jury commission in Broward County; repealing Chapter 69-912, Laws of Florida, Special Acts of 1969, which provided compensation for Broward County jury commissioners; repealing Chapter 69-918, Laws of Florida, Special Acts of 1969, which specified duties of Broward County jury commissioners; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote HB 3984 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3985—A bill to be entitled an act relating to Broward County, amending Chapter 71-561, Laws of Florida, Special Acts of 1971, which created the Broward County transportation authority by amending Section 6, subparagraph (1) thereof to provide for the regulation of taxicabs in Broward County by the Broward County Transportation Authority and to provide for a centralized Traffic Control Signalization System; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 3985 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gillespie	Johnston	Peterson
Childers	Glisson	Lane (31st)	Pettigrew
Deeb	Graham	Lane (23rd)	Poston
de la Parte	Gruber	Lewis	Saunders
Firestone	Henderson	McClain	Sayler
Gallen	Johnson	Myers	Scarborough

Sims
Smathers
Stolzenburg

Sykes
Trask
Vogt

Ware
Williams
Wilson

Winn
Zinkil

Nays—None

HB 3986—A bill to be entitled An act relating to Broward County, amending Chapter 30636, Laws of Florida, Special Acts of 1955, as amended by Chapter 61-1933, Laws of Florida, Special Acts of 1961, and Chapters 65-1311 and 65-1312, Laws of Florida, Special Acts of 1965; relating to the establishment and maintenance of a county pound in Broward County; amending Section 5 of said act in order to authorize the board of county commissioners to establish the fee to be charged for vaccination certificates and tags, and fees for issuance of duplicate tags; and providing for an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 3986 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3987—A bill to be entitled An act relating to Broward County, amending Chapter 59-1157, Laws of Florida Special Acts of 1959, charter of Port Everglades authority as amended by Chapter 70-612, Laws of Florida, Special Acts of 1970, relating to standards of conduct for port commissioners and port employees, deleting limitations on employment and personal investments; prohibiting candidates for the port commission or port commissioners from accepting political contributions in excess of \$100.00 in any primary or general election from any person, firm or corporation doing business with the port authority; declaring any person who offers or gives any gift of a value which exceeds \$25.00 to any port commissioner or port employee to be guilty of a misdemeanor of the second degree and upon conviction to be punished in accordance with law; declaring any person who offers or gives any gift of a value which exceeds \$25.00 to any person, firm or corporation employed by or furnishing materials or supplies to the port authority for the purpose of securing personal benefits to himself to be guilty of a misdemeanor in the second degree and upon conviction to be punished in accordance with law; repealing section 2(c) and section 5 of Part V, Article 1, Chapter 59-1157, Laws of Florida, Special Acts of 1959, relating to the levying of tax by the port authority for the purpose of paying the principal and interest required by the terms of a contract and refunding agreement between the Port Everglades authority and bond holders association dated November 18, 1935 as amended relating to certain negotiable bonds and interest coupons dated June 15, 1926; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 3987 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3989—A bill to be entitled An act relating to Collier County, district school board; authorizing the board to provide certain group insurance plans; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 3989 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3990—A bill to be entitled An act relating to Collier County authorizing the Board of County Commissioners to enter into agreements for members and employees of the Board of County Commissioners, their dependents and constitutional officers and their employees and their dependents to provide health, accident, hospitalization, and life insurance; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 3990 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3998—A bill to be entitled An act relating to Okaloosa County, Ocean City-Wright Fire Control District; amending section 3 of chapter 65-1988, Laws of Florida; providing for the staggering of terms of office of the members of the board of commissioners; repealing all laws or parts of laws in conflict; providing an effective date.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote HB 3998 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4007—A bill to be entitled An act relating to the Palmetto Fire Control District special assessments and charges; amending Section 7, Chapter 63-1593, Laws of Florida previously amended by Section 1, Chapter 65-1891, Laws of Florida; and Section 1, Chapter 71-758, Laws of Florida; increasing the maximum assessment which may be levied against a business firm to one hundred dollars (\$100); increasing the maximum assessment which may be levied against taxable real estate used as trailer rental space to thirteen dollars (\$13); increasing the maximum assessment which may be levied against each

dwelling to thirteen dollars (\$13); providing for a maximum assessment of thirteen dollars (\$13) per living unit in a duplex, triplex, condominium, apartment building and other multifamily dwelling exceeding two (2) stories in height; providing for a maximum assessment of ten dollars (\$10) per living unit in a duplex, triplex, condominium, apartment building and other multifamily dwelling not exceeding two (2) stories in height; providing for a maximum assessment of fifty cents (50¢) per acre or fraction thereof per annum on unsubdivided acreage; increasing the maximum assessment which may be levied against a vacant lot to one dollar (\$1); and providing for an effective date.

—was read the second time by title.

Senator Barron moved the following amendment which was adopted:

Amendment 1—On page 4, lines 14 and 15, strike "immediately upon becoming a law" and insert: January 1, 1975

On motion by Senator Gallen, by two-thirds vote HB 4007 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4008—A bill to be entitled An act relating to the Ellen-ton Fire Control District; amending §4 of Chapter 59-1539, Special Acts of 1959, Laws of Florida, as previously amended by Chapter 67-1692, Special Acts of 1967, Laws of Florida; increasing the maximum assessment that may be levied against a dwelling and the land upon which it is located if not in excess of one (1) acre to twenty dollars (\$20) per annum; providing for a special assessment against taxable real estate in the district used as mobile home rental space in the maximum amount of twenty dollars (\$20) per annum per rental space; increasing the maximum amount that may be levied against unsubdivided acreage to twenty-five cents (25¢) per acre or fraction thereof per annum but not to exceed the sum of twenty-five dollars (\$25) for any one (1) unsubdivided parcel of more than one hundred (100) acres; providing that the board of commissioners may assess different mobile home rental spaces in different amounts because of different usage; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4008 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4009—A bill to be entitled An act relating to the municipality of St. Leo in Pasco County; amending section 1 of Chapter 67-1989, Laws of Florida, relating to the re-location of the city boundaries; providing an effective date.

—was read the second time by title.

Senator Trask moved the following amendment which was adopted:

Amendment 1—On page 2, line 11, insert: Less the following territory situated and being in Pasco County, Florida, described as follows: to wit:

Begin at the NE corner of the SE¼ of section one (1), township 25 south, range twenty (20) east, thence run west 1,128.09 feet, thence north 65 degrees 10 minutes west 373.65 feet, thence north 43 degrees 54 minutes west 393.89 feet, thence south 1 degree 46 minutes west 1,772.35 feet, thence east 1,796.66 feet to southeast corner of NE¼ of the SE¼, thence north 1,328.60 feet to the point of beginning. Lying north of SR no. 52, containing 54.80 acres.

On motion by Senator Trask, by two-thirds vote HB 4009 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Pettigrew	Trask
Childers	Henderson	Poston	Vogt
Deeb	Johnson	Saunders	Ware
de la Parte	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Graham	Myers	Sykes	

Nays—1

Peterson

HB 4019—A bill to be entitled An act relating to Broward County; providing that the governing body of every municipality shall be prohibited from any annexation after the effective date of this act until a land use plan has been adopted by the county and the municipality desiring to annex; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 4019 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4020—A bill to be entitled An act relating to Broward County, amending Chapter 28940, Laws of Florida, Special Acts of 1953; amending Section 1 of said act to permit the board of county commissioners to budget an amount as determined by said board for the humane society of Broward County and removing the limitation on the amount to be budgeted; providing for an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 4020 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4021—A bill to be entitled An act relating to Broward County, amending Chapter 65-1338, Laws of Florida, Special Acts of 1965 as amended by Chapter 69-919, Laws of Florida, Special Acts of 1969 and Chapter 71-569, Laws of Florida, Special Acts of 1971, relating to the Broward County air and water pollution control act; amending Section 5(a) of said act to strike requirement that members of the Broward County pollution control board be freeholders, and to permit the engineer member of said pollution control board to be a government employee; and providing for an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 4021 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

CS for HB 4022—A bill to be entitled An act relating to Broward County, amending Chapter 71-561, Laws of Florida, Special Acts of 1971, which created the Broward County transportation authority by amending Section 3 by adding subparagraph (24) defining development sketch; and by amending Section 10, subparagraph (1) to provide for the requirement that development sketches as well as subdivisions of lands meet the right-of-way requirements of the trafficway plan of the Broward County transportation authority; and to provide for the review of plats and development sketches by the Broward County transportation authority.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote CS for HB 4022 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4023—A bill entitled An act relating to Broward County, amending Chapter 61, 1969, Laws of Florida, Special Acts of 1961, as amended by Chapter 63-1186, Laws of Florida, Special Acts of 1963, Chapter 1337, Laws of Florida, Special Acts of 1965, Chapters 69-905, Laws of Florida, Special Acts of 1969, Chapters 71-562 and 71-581, Laws of Florida, Special Acts of 1971, and Chapter 73-420, Laws of Florida, Special Acts of 1973, relating to water resources development and management in Broward County; amending Section 13 of said act to authorize freeholders to vote in referendums establishing water management districts; amending Section 14 (c) of said act to provide that freeholders may be members of governing boards, deleting the requirement for holding of an election to fill vacancies, and authorizing governing board of the district to make appointments to fill vacancies caused for reasons other than expiration of the term of office; amending Section 25 (11) of said act to permit freeholders to vote in bond elections called by any governing board; amending Section 28 (d) of said act to allow freeholders to vote in any referendum on question of amending district boundaries; amending Section 29 of said act to allow freeholders to file petitions for discontinuance of water management districts and to vote in referendums called for such purposes; providing for severability of invalid provisions; and providing for an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 4023 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4024—A bill to be entitled An act relating to Broward County, amending Chapter 67-1169 Laws of Florida, Special Acts of 1967, relating to operation of child care centers; amending section 2 of said act to provide for inspections by health officers without notice; amending section 3 of said act by adding subsection (d) to provide a means for school operators to request a hearing with the Broward County child care center board; amending section 4 of said act to provide for health certificates for operators and employees; amending section 5 of said act to increase the number of staff members per child; amending section 6 of said act to clarify the definition of a half day center to include kindergartens, to require that children have a daily rest period, to revise the outdoor play space requirements for certain schools, to provide standards for safe care of pets, to provide for a required water fountain, to require minimum artificial lighting and sanitary standards in bathrooms, and to require minimum artificial lighting in certain places; amending section 8 of said act to provide for adoption of chapter 10D-13 of the sanitary code of Florida, entitled "food service", require a designated cook, posting of a weekly menu and periodic mealtime inspection in certain schools; amending subsection (g) of section 12 of said act to provide for minimum classroom temperatures; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 4024 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Saylor	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	Zinkil
Glisson	McClain	Smathers	
Graham	Myers	Sykes	

Nays—1

Stolzenburg

HB 4025—A bill to be entitled An act relating to Broward County amending Section 104 of South Florida Building Code as enacted for Broward County by Chapter 71-575, Laws of Florida, Special Acts of 1971, as amended, to exempt existing buildings and structures of historical significance or within historical areas in the City of Fort Lauderdale, from the requirements of the South Florida Building Code; to permit restoration and rehabilitation of buildings so designated without compliance with the requirements of the South Florida Building Code provided that the health, safety and welfare of the public are not endangered thereby; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote HB 4025 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gillespie	Johnston	Peterson
Childers	Glisson	Lane (31st)	Pettigrew
Deeb	Graham	Lane (23rd)	Poston
de la Parte	Gruber	Lewis	Saunders
Firestone	Henderson	McClain	Saylor
Gallen	Johnson	Myers	Scarborough

Sims	Sykes	Ware	Winn
Smathers	Trask	Williams	Zinkil
Stolzenburg	Vogt	Wilson	

Nays—None

HB 4028—A bill to be entitled An Act relating to the City of Orlando, Orange County, Florida, and the pension fund for the police department of said city; amending §13 of Chapter 22414, Special Acts of 1943, the act creating said pension fund, by adding subparagraph (2) providing for payments where a member or former member of the police department dies without a surviving widow or widower, a minor child or dependent mother; repealing §16 of Chapter 22414, Special Acts of 1943, as amended by §2 of Chapter 57-1649, Special Acts of 1957, and as amended by §4 of Chapter 72-632, Special Acts of 1972, thereby repealing the provision pertaining to payments where a member or former member of the police department is convicted of a felony or is discharged; repealing §17 of Chapter 22414, Special Acts of 1943, thereby repealing the provision pertaining to judgments recovered against the City of Orlando, by a member or former member of the police department; providing a severability clause; and providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 4028 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4029—A bill to be entitled An Act relating to the City of Orlando, Orange County, Florida, and the pension fund for the fire department of said city; amending § 13 of Chapter 23444, Special Acts of 1945, the act creating said pension fund, by adding subparagraph (2) providing for payments where a member or former member of the fire department dies without a surviving widow or widower, a minor child or dependent mother; repealing §16 of Chapter 23444, Special Acts of 1945, as amended by §4 of Chapter 72-633, Special Acts of 1972, thereby repealing the provision pertaining to payments where a member or former member of the fire department is convicted of a felony or is discharged; repealing §17 of Chapter 23444, Special Acts of 1945, thereby repealing the provision pertaining to judgments recovered against the City of Orlando, by a member or former member of the fire department; providing a severability clause; and providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 4029 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

CS for HB 4034—A bill to be entitled An act relating to Martin County; creating the City of Jensen Beach in Martin County; establishing the territorial boundaries of the city; providing a form of government; providing powers and duties of the city; providing election procedures for the mayor and the city council; providing for membership of the city council; providing powers and duties of the mayor; providing the council with certain municipal planning powers; providing

for a judiciary; providing a procedure for the adoption of ordinances and resolutions; establishing the fiscal year; providing financial procedures; providing initiative procedures for adoption of ordinances by the electors; providing referendum procedures for ordinances; providing for the recall of elected officials; providing procedures for amendment of the charter; providing procedure for the first municipal election; preserving ordinances and resolutions in effect for unincorporated area; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote CS for HB 4034 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4036—A bill to be entitled An Act relating to Lee County; amending Section 1, Chapter 61-2407, Laws of Florida, 1961, to provide that each jury commissioner shall receive compensation of one hundred (\$100.00) dollars per year; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4036 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4037—A bill to be entitled An Act relating to Pinellas County, creating the Pinellas County library task force; providing the task force shall develop a report on providing county wide library service under the Board of County Commissioners and submit such plan to the members of the Legislative Delegation, the Board of County Commissioners and the various municipalities of Pinellas County prior to the next regular session of the Legislature; providing for membership, duties and powers of the task force; providing certain services for the use of the task force; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 4037 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4041—A bill to be entitled An Act relating to the Lake Apopka Natural Gas District located in Orange and Lake Counties; amending Chapter 59-556, Laws of Florida, 1959, to increase the limits of compensation which may be paid to directors of the Lake Apopka Natural Gas District; and providing an effective date.

—was read the second time by title. On motion by Senator Sims, by two-thirds vote HB 4041 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4045—A bill to be entitled An Act amending Section 4 of Chapter 29438, Laws of Florida, 1953, as amended, the most recent amendment being section 1 of Chapter 71-872, Laws of Florida; providing for change of the maximum assessment rates for the Indian Rocks Special Fire Control District; providing an effective date contingent upon approval by the electors of Pinellas County at a referendum.

—was read the second time by title.

Senator Deeb moved the following amendments which were adopted:

Amendment 1—On page 1, 2 and 3, line 27, strike all words after the comma (,) following the word "year" on page 1; all of page 2; lines 1—17 on page 3, and insert: on page 1, line 27; such resolution together with a list of said assessments shall be submitted to the electors in the district in accordance with section 2 of this act; and if a majority of electors voting at such election approve, the assessment rates shall be put into effect.

Amendment 2—On page 4, line 10, insert: before the word "This": The provisions in

Amendment 3—On page 1 in title, line 8, strike "change of the maximum" and insert: changes in

On motion by Senator Sayler, by two-thirds vote HB 4045 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4048—A bill to be entitled An act relating to Indian River County, Indian River County Hospital District; amending Paragraph 1 of Section 17, Chapter 61-2275 as amended by Chapters 71-688 and 72-568, Laws of Florida, providing an increase in the amount of bonds of said District authorized to be outstanding at any time from ten million dollars (\$10,000,000) to an amount not to exceed fifteen million dollars (\$15,000,000); providing for an effective date:

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 4048 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4052—A bill to be entitled An act relating to the repeal of chapter 29463, laws of Florida; providing for the abolishment of the Putnam County Public Hospital Authority; providing that all assets, real, personal, intangible and otherwise, and all duties and liabilities, tortious, contractual or otherwise of the Putnam County Public Hospital Authority be transferred to the board of county commissioners of Putnam County, Florida; providing that the board of county commissioners shall become and be the successors in interest of all assets, duties, and liabilities of the Putnam County Public Hospital Authority, including but not limited to any and all contractual lease duties and liabilities of the Putnam County Public Hospital Authority; providing that all assets, real, personal, intangible and otherwise shall remain in use and be utilized for health care purposes in Putnam County, Florida; providing that all pledges of revenue or gifts, promised, pledged, granted or otherwise obtained by gift, law or otherwise to the Putnam County Public Hospital shall after transfer to the board of county commissioners of Putnam County, Florida, shall remain in use for health care purposes; providing for an effective date; providing for an effective date of final transfer; providing for the release of and from liability of members of this Putnam County Public Hospital Authority; providing for a saving clause.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote HB 4052 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4060—A bill to be entitled An act relating to East County water control district, Lee County and Hendry County; repealing section 3, chapter 70-498, Laws of Florida (1970) which provides that certain provisions of part II of chapter 163, Florida Statutes, shall not apply to the district; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4060 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4061—A bill to be entitled An act relating to DeSoto County, which amends Chapter 67-1290 of the Special Acts of the Florida Legislature of the 1967 Regular Session, being House Bill No. 2450, a special act relating to DeSoto County, which

said amendment provides for the dissolution of water conservation and recreation districts created pursuant to said Chapter 67-1290 of the Special Acts of the Regular Session of the Florida Legislature for the year 1967, which have not been active for a period of one year and do not serve the purpose for which they were created; providing for petition by landowners; providing for published notice and public hearing; providing for the refund of tax monies; providing for the payment of the debts of such district; providing for any real and personal property belonging to the district other than monies to become County property upon dissolution; providing for an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4061 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4062—A bill to be entitled An act relating to Sarasota County, South Trail area fire control district; adding §20 to chapter 65-2241, Laws of Florida, as amended; providing that the portion of the district lying on Siesta Key may be assessed up to 1.5 mills for additional fire protection service and .5 mills for additional ambulance and rescue service; providing for a referendum.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4062 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4063—A bill to be entitled An act relating to Sarasota County, South Trail area fire control district; amending §4(1) of chapter 65-2241, Laws of Florida, as amended by chapter 67-2046, Laws of Florida, and chapter 70-933, Laws of Florida; providing for the levy and collection of special assessments for benefits for fire protection and for ambulance service and providing for an increase in the maximum assessments in an amount equal to the increase in cost-of-living; stating legislative intent; providing for a referendum.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4063 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4067—A bill to be entitled An act relating to Hillsborough County; amending §2 of chapter 73-633, Laws of Florida, which relates to the power of the Tampa sports authority to lease, rent, or contract its facilities and real property, to provide an ad valorem taxation exemption; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4067 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Pettigrew	Trask
Childers	Henderson	Poston	Vogt
Deeb	Johnson	Saunders	Ware
de la Parte	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—1

McClain

HB 4068—A bill to be entitled An act relating to the Tampa sports authority; amending §§4(h), 5(2), 6(b) and 8 of chapter 65-2307, Laws of Florida, to delete the limitation on interest which bonds may bear, to permit a negotiated sale of bonds, to permit the issuance of bond anticipation notes, to permit proceeds of refunding bonds to be deposited under certain conditions in federally insured banks, to delete a proviso relating to a restriction on the issuance of revenue bonds, and to provide for pledging by the City of Tampa and County of Hillsborough of moneys derived from nonad valorem tax sources to the support of any bonds of the authority; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4068 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Pettigrew	Trask
Childers	Henderson	Poston	Vogt
Deeb	Johnson	Saunders	Ware
de la Parte	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—1

McClain

HB 4071—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 153, Florida Statutes, relating to county water and sewer systems, county water system and sanitary sewer financing, and county water and sewer districts insofar as chapter 153, Florida Statutes, may relate to the unincorporated areas of Hillsborough County; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4071 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gallen	Henderson	Lewis
Childers	Gillespie	Johnson	McClain
Deeb	Glisson	Johnston	Myers
de la Parte	Graham	Lane (31st)	Peterson
Firestone	Gruber	Lane (23rd)	Pettigrew

Poston	Sims	Trask	Wilson
Saunders	Smathers	Vogt	Winn
Sayler	Stolzenburg	Ware	Zinkil
Scarborough	Sykes	Williams	

Nays—None

HB 4072—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 298, Florida Statutes, relating to drainage and water management, and the creation, financing, and management of water management districts, insofar as chapter 298, Florida Statutes, may apply to the unincorporated areas situate wholly within Hillsborough County and not consisting of lands located in other counties; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing for consolidation; providing that this act shall not affect districts situate within any municipality; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4072 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4073—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing §§336.14, 336.15, 336.16, 336.17, 336.18, 336.19, 336.20, 336.22, 336.23, 336.24, 336.25, 336.26, 336.28, 336.29, 336.30, 336.31, 336.33, 336.34, 336.35, 336.37, 336.38, 336.39, 336.49, 336.61, 336.62, 336.63, 336.64, 336.65, 336.66, and 336.67, Florida Statutes, relating to county roads and the creation, financing, and management of special tax road districts, special road and bridge districts, and special road, bridge and ferry districts, insofar as said sections may relate to the unincorporated areas of Hillsborough County; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing that this act shall not affect districts situate within any municipality; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4073 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4074—A bill to be entitled An act relating to Hillsborough County; amending §1 of chapter 57-1387, Laws of Florida, as amended by §1 of chapter 63-1413, Laws of Florida, and further amended by §1 of chapter 73-492, Laws of Florida; §1-A of chapter 57-1387, Laws of Florida, added by chapter 63-1413, Laws of Florida; and §3 of chapter 57-1387, Laws of Florida, as amended by §1 of chapter 73-492, Laws of Florida; authorizing the board of county commissioners of Hillsborough County, the Hillsborough County aviation authority, the Hillsborough County port authority, the board of public assistance and other

similarly created public bodies corporate or their legal successors to enter into agreements for group insurance for officers and employees thereof to provide health, accident, hospitalization, and life insurance; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4074 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4076—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending §§3 and 5, chapter 23559, Laws of Florida, 1945, as amended, relating to the pension or retirement fund for disabled or retired permanent employees; increasing the rate of the city's contribution to the fund; providing an additional percentage of average salary or wage for certain periods of service; providing certain cost of living adjustments; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4076 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4077—A bill to be entitled An act relating to the City of Tampa; abolishing the elective office of city clerk of the City of Tampa; creating the office of an appointive city clerk; providing for qualifications, term of office, appointment and removal; providing powers, duties, and compensation; providing for the present city clerk to remain in office until October 1, 1975; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4077 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—1

Gillespie

HB 4083—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority; amending the "Lake Worth Downtown Development Authority Act," chapter 75-592, Laws of Florida, 1972, granting to the authority the power to acquire property by borrowing money secured by a mortgage for such property; requiring approval by referendum; establish-

ing the limit for such borrowing at one percent (1%) of the total value as assessed by the county tax assessor's office of the property lying within the "downtown area"; deleting the authority to borrow on unsecured notes; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 4083 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

CS for HB 4084—A bill to be entitled An act relating to Palm Beach County, Port of Palm Beach District; amending, supplementing and repealing certain sections of chapter 7081, Laws of Florida, 1915, creating a special taxing district in Palm Beach County, Florida, then known as the Lake Worth Inlet District, and all acts supplementary and amendatory thereto, including chapter 7522, Laws of Florida, 1917; chapter 8800, Laws of Florida, 1921; chapter 9993, Laws of Florida, 1923; chapters 10756 and 11694, Laws of Florida, 1925; chapter 12074, Laws of Florida, 1927; chapter 13685, Laws of Florida, 1929; chapter 14753, Laws of Florida, 1931; chapter 17089, Laws of Florida, 1935; chapters 18766, 18771 and 18772, Laws of Florida, 1937; chapter 26108, Laws of Florida, 1949; chapters 27800, 27801 and 27805, Laws of Florida, 1951; chapters 29391 and 29393, Laws of Florida, 1953; chapters 31126 and 31129, Laws of Florida, 1955; chapters 57-1685, 57-1695 and 57-1696, Laws of Florida; chapters 59-905 and 59-1701, Laws of Florida; chapter 61-2632, Laws of Florida; chapter 67-1879, Laws of Florida; and chapter 72-635, Laws of Florida, with said amendments, supplements and repealing provisions of the aforesaid special acts, providing for the operation and maintenance of the Port of Palm Beach District, in the County of Palm Beach, and providing therein, the definition of its territorial boundaries, and providing for its government, jurisdiction, powers, franchises, and privileges; designating the number of commissioners of said district and providing for their election by the qualified voters in said district, further specifying their organization, compensation, qualifications, and terms of office of said commissioners; providing for the jurisdiction of the Port of Palm Beach District, its powers and duties; authorizing a tax levy to provide for its operation; authorizing the issuance of debentures to provide for financing projects of said authority; providing for the issuance of revenue certificates, general obligation bonds and refunding bonds by said district; providing for the acquisition of property by the district, by grants, purchase, gift, devise, condemnation by eminent domain proceedings, exchange or otherwise; providing for the sale of assets of said district; providing for the handling and disposition of the funds and revenues by said district; providing for the awarding of contracts and purchases; providing for the exemption of the property of the district from taxation; providing for the promotion, regulation and development of the facilities and services of the district; providing for the borrowing of money by the district; providing for the employment of a port manager and other employees and consultants of the district; providing for the appointment of port harbor masters; providing for the publicizing and advertisement of the port facilities; providing for the investment of the funds belonging to the district; providing that all special acts in conflict with this act shall be repealed; providing that all general acts now or hereinafter enacted by the Legislature of the State of Florida, that are not in limitation of the powers, privileges and franchises granted herein, shall be construed to be an alternative and supplementary method available to the governing body of said district; providing an effective date.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote CS for HB 4084 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4085—A bill to be entitled An act relating to Broward County amending Chapter 27438, Laws of Florida, Special Acts of 1951, relating to the North Broward Hospital District, as amended, creating a new Section 46 to establish fiscal year for the North Broward Hospital District from July 1 to June 30 notwithstanding the provisions of Florida Statute 218.33; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 4085 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4087—A bill to be entitled An act relating to Hillsborough County; authorizing issuance of an alcoholic beverage license to the Hillsborough county aviation authority or other governmental agency operating Tampa International Airport; providing for application; providing for transfer; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4087 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4095—A bill to be entitled An act relating to Manatee County, Florida; amending sub-paragraph (4) under the first paragraph of Section 5 of Chapter 67-1681, Laws of Florida, Special Acts of 1967 by providing a covenant on the part of the Legislature that it will not enact any law which will repeal, impair or amend the rights of the holders of bonds issued under the authority of Chapter 67-1681, Laws of Florida, Special Acts of 1967.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4095 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Firestone	Graham	Johnston
Childers	Gallen	Gruber	Lane (31st)
Deeb	Gillespie	Henderson	Lane (23rd)
de la Parte	Glisson	Johnson	Lewis

McClain	Saunders	Stolzenburg	Williams
Myers	Saylor	Sykes	Wilson
Peterson	Scarborough	Trask	Winn
Pettigrew	Sims	Vogt	Zinkil
Poston	Smathers	Ware	

Nays—None

HB 4096—A bill to be entitled An act relating to the City of Bradenton; authorizing the city to use prisoners of the County of Manatee on public works; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4096 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	
Gruber	Peterson	Sykes	

Nays—1

Gillespie

HB 4097—A bill to be entitled An Act providing for the relief of John Ronan, Jr. and W. Baron; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 4097 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Saylor	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	Zinkil
Glisson	McClain	Smathers	
Graham	Myers	Sykes	

Nays—2

Stolzenburg Weber

HB 4098—A bill to be entitled An act relating to St. Lucie County; creating, establishing, and incorporating a special taxing district in the county to be known and designated as St. Lucie County Hospital District; fixing and prescribing the boundaries of the district; providing for the governing and administration of the same; providing and defining the powers and purposes of the district and of the board of trustees thereof; authorizing and empowering the board to establish, construct, purchase, operate, and maintain such hospitals, clinics, doctors' clinics, nursing homes, parking facilities, billing and collection services, and other related endeavors as may be conveyed to or established and constructed by the board and the district; authorizing the district to lease, equip, operate, and maintain hospitals, clinics, doctors' clinics, nursing homes, parking facilities, billing and collection services, and other related endeavors owned by others and to contract with any person, firm, corporation or organization for the construction, operation, and maintenance of hospitals, clinics, doctors' clinics, nursing homes, parking facilities, billing and collection services, and other related endeavors in the district; authorizing and providing for the issuance and sale of ad valorem and revenue bonds, and refunding bonds, of the district; authorizing and empowering the board to borrow money on the note or notes of the district; authorizing and providing for the levy and collection of taxes for the payment of the bonds and the interest thereon and for the purchase of certain major equipment of a capital nature; authorizing and providing for the levy of taxes

to carry out the purposes of the district as provided in this act; authorizing the district to accept by conveyance any hospitals owned by others; authorizing the district to purchase a hospital or hospitals and hospital equipment owned by others within the district; authorizing and providing generally the powers and duties of the board on its behalf; providing an effective date, and providing for a referendum.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 4098 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of House Bills 4104, 4105 and 4106 was deferred.

HB 4107—A bill to be entitled An Act establishing a task force for the study and design of an emergency medical service program in Pinellas County; providing for membership; providing for duties; providing for funding; providing for implementation of an emergency medical service program; providing for an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 4107 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4108—A bill to be entitled An act relating to the Monroe County mosquito control district; amending §2(1), (2), and (3) of chapter 67-1726, Laws of Florida; providing for corrections in the description of the division of the districts of the Monroe County mosquito control district; amending §5 of chapter 67-1726, Laws of Florida, increasing the borrowing authority of the board of commissioners from one hundred thousand dollars (\$100,000) to one hundred fifty thousand dollars (\$150,000); amending §7 of chapter 67-1726, Laws of Florida, authorizing the board of commissioners to establish the salaries of the district commissioners, chairman, and secretary of the board, and providing for the payment of ten cents (10¢) per mile as well as twenty dollars (\$20) per day to each commissioner for mileage for official travel and for attendance at each commission meeting; repealing all laws and parts of laws, whether general or special, in conflict with this act to the extent of such conflict; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 4108 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gillespie	Johnston	Peterson
Childers	Glisson	Lane (31st)	Pettigrew
Deeb	Graham	Lane (23rd)	Poston
de la Parte	Gruber	Lewis	Saunders
Firestone	Henderson	McClain	Sayler
Gallen	Johnson	Myers	Scarborough

Sims	Sykes	Ware	Winn
Smathers	Trask	Williams	Zinkil
Stolzenburg	Vogt	Wilson	

Nays—None

Consideration of HB 4113 was deferred.

HB 4115—A bill to be entitled An act relating to Charlotte County; amending §§3(b) and 4(b), chapter 69-931, Laws of Florida, and adding §3(d) to said chapter; increasing the salary of the treasurer of the Harbour Heights Fire Control District; providing for the appointment of officers by the chairman in case of a vacancy; changing the rate of assessments; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4115 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4116—A bill to be entitled An act relating to Charlotte County; amending §§1(b), 3(b) and 4(b) of chapter 65-1355, Laws of Florida, and adding §§2(c)(3) and 3(e) to said chapter; changing the boundaries of and adding additional territory to the Port Charlotte-Charlotte Harbor Fire Control District; providing for a limitation on the appointment of commissioners; increasing the salary of the treasurer of the district; providing for the appointment of officers by the chairman in case of a vacancy; changing the rate of assessments; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 4116 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4126—A bill to be entitled An act relating to Pinellas County; amending §§3 and 5 of chapter 72-663, Laws of Florida, relating to the authority of the board of trustees of the internal improvement trust fund to approve minimum dredging and spoiling and to provide for reasonable improvement of public lands in the aquatic preserve for public transportation projects; amending §8(d)3. of chapter 72-664, Laws of Florida, authorizing the Pinellas County water and navigation control authority to approve certain dredging and filling of submerged lands for public transportation projects and other projects which would enhance the public safety and welfare; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 4126 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of HB 4127 was deferred.

HB 4128—A bill to be entitled An act relating to Broward County; amending the charter of the City of Coral Springs, chapter 63-1248, Laws of Florida, as amended in 1965, 1969, and 1971; extending the territorial limits and boundaries of said city; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 4128 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4130—A bill to be entitled An act relating to Duval County, Florida, community education program; providing a method for delegation of school board powers and duties as defined in the Florida community school act of 1970, as amended; providing for continuing relationship with State of Florida department of education; providing an effective date.

—was read the second time by title. On motion by Senator Smathers, by two-thirds vote HB 4130 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4132—A bill to be entitled An Act relating to Pinellas County, creating the Pinellas County Sanitary Sewage Treatment task force; providing the task force shall develop a workable plan of consolidated sanitary sewage treatment on a county wide basis and submit such plan to the members of the Legislature from Pinellas County, and the Board of County Commissioners; providing for periodic reports and for a final report; providing for the membership, appointment, terms, organization, duties and powers of the task force; providing certain services for the use of the task force; providing an effective date.

—was read the second time by title.

Senator Sayler moved the following amendments which were adopted:

Amendment 1—On page 1, lines 7 and 8, strike “develop a workable plan of consolidated” and insert: study the feasibility of consolidating

Amendment 2—On page 1, line 9, add at end “shall”

Amendment 3—On page 1, line 10, strike “such plan” and insert: their findings

Amendment 4—On page 1, lines 11 through 14, strike “and the Board of County Commissioners; providing for periodic reports and for a final report;”

Amendment 5—On page 1, line 21 through page 2, line 18, strike in their entirety

Amendment 6—On page 2, line 22, through page 5, lines 1 and 2 strike in their entirety and insert:

Section 1. There is hereby created in Pinellas County a sanitary sewage treatment task force to determine the feasibility of developing a workable plan for consolidation of sewage treatment plants.

Section 2. The task force shall develop, if feasible and desirable, a workable plan for consolidating all sanitary sewage treatment plants located in Pinellas County and its municipalities, and shall submit such plan to the legislative delegation, the board of county commissioners of Pinellas County, the Pinellas planning council and the municipalities affected, prior to February 15, 1975.

Section 3. The task force shall be composed as follows: one member representative of and appointed by each of the municipalities of St. Petersburg, Clearwater, Largo and Tarpon Springs; one member representative of and appointed by the Pinellas County board of county commissioners; and one member representative of private treatment plant operators appointed by the Pinellas County board of county commissioners.

Section 4. The task force, as created by this act, shall be convened on or before July 15, 1974, by the chairman of the Pinellas County legislative delegation for the purpose of organizing and electing, from its membership, a chairman, vice chairman, secretary and treasurer.

Section 5. In carrying out the provisions of this act, the task force is authorized to call upon the various departments and subdivisions of the county and the municipalities therein for assistance. The task force may make such investigations, conduct such hearings, and employ such special, technical, clerical and legal assistance as may be necessary to assemble the required data and information upon which to base its plan.

Section 6. The board of county commissioners of Pinellas County is hereby directed to provide the following to the task force; adequate secretarial and clerical help, the means of having interim and final reports of the task force printed, technical assistance of the county planning staff and legal assistance from the county legal department. Any additional expense may be requested of and provided by the board of county commissioners at their discretion.

On motion by Senator Sayler, by two-thirds vote HB 4132 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4133—A bill to be entitled An Act relating to Pinellas County, creating the Pinellas County solid waste disposal task force; providing the task force shall develop a workable plan of consolidated solid waste disposal on a county-wide basis and

submit such plan to the members of the Legislature from Pinellas County; providing for periodic reports and for a final report; providing for the membership, appointment, terms, organization, duties and powers of the task force; providing an appropriation directing the Board of County Commissioners to provide certain services for the use of the task force; providing an effective date.

—was read the second time by title.

Senators Saylor and Deeb offered the following amendments which were moved by Senator Saylor and adopted:

Amendment 1—On page 1, line 26, 27, strike “under the jurisdiction and control of Pinellas County” and insert: a period

Amendment 2—On page 2, line 1, 2, 3, 4, strike “under the jurisdiction and control of the Pinellas county government (comma) and shall submit such plan to the Board of County Commissioners of Pinellas County,” and insert: and shall submit such plan to the municipalities effected (comma) the Pinellas Planning Council and the Board of County Commissioners of Pinellas County.

Amendment 3—On page 2, line 5 through 12, strike “the task force shall be composed of members appointed by the board of county commissioners of Pinellas County who shall consist of one member representative of the City of St. Petersburg, one member representative of the city of Clearwater, two members representative of the remaining municipalities within Pinellas County, appointed on a geographical basis, and one member representative of the board of county commissioners of Pinellas County.”

and insert: the task force shall be composed of one member appointed by the City of St. Petersburg, one member appointed by the City of Clearwater, two members appointed by the Board of County Commissioners representative of the remaining municipalities within Pinellas County on a geographical basis, and one member appointed by and representative of the Board of County Commissioners of Pinellas County.

Amendment 4—On page 2, line 18, strike the period and insert: and the task force.

Amendment 5—On page 2, line 24, strike the period and insert: and the Pinellas Planning Council.

Amendment 6—On page 4, lines 7 through 15 strike all of Section 7 entirely and re-number subsequent subsections

On motion by Senator Saylor, by two-thirds vote HB 4133 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of HB 4134 was deferred.

CS for HB 4138—A bill to be entitled An act creating the Bradenton Downtown Development Authority to plan, construct and maintain public improvements and facilities within the central business district of the City of Bradenton, Florida and contiguous areas; defining the boundaries of the project area; providing for a Board appointed by the mayor of the City and confirmed by the City Council; prescribing the membership terms and offices and duties of the Board; prescribing the powers of the authority; including among other powers, the power to acquire property; including through eminent domain, and to dispose of property; authorizing levying and collection of ad valorem tax in the district for the purpose of this authority, when approved by referendum; to exempt from taxation, all single family dwellings within the district; to borrow money on short term evidence of indebtedness in order to pay

expenses of operation pending collection of taxes; providing for the staff and budget of the authority; granting to the Authority the power of bond financing; providing for the ownership, acquisition, mortgage, lease and disposal of property and facilities, and the furnishing of proprietary services and facilities of all kinds, among them land redevelopment and revitalization, water and sewer systems, waste control, heliport and STOL facilities, communication, cultural, recreational and educational facilities of all kinds, parking facilities, public transportation and utilities, streets, toll roads, and bridges, sidewalks, street lighting and related facilities and other projects and experimental projects by the Authority; authorizing the Authority to advertise; granting the Authority the benefits and privileges of a drainage district and of a special road and bridge district, authorizing the Board to invest idle funds, to enter into sale, lease or other agreements with any agency of the city, county, state and federal governments and authorizing the Authority to construct and furnish proprietary facilities and services to persons and property within the Authority boundaries providing authority to set fees, rentals, tolls, fares and charges, and to make agreements and contracts for services without public hearing and pledge the same as security for Authority bonds; authorizing the Authority to request the City of Bradenton to accept dedications and provide special zoning; providing for the rehabilitation, clearance, redevelopment, revitalization of areas of slum and blight in the downtown, defining the duties, liabilities, exemptions and powers of the Board in undertaking such activities, including the power to amend plans and adopt substitute plans to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future blighted areas, to enter into agreements to secure city, county, state and federal aid and comply with conditions imposed in connection therewith; to authorize the Authority to furnish funds, services, facilities and property in aid of renewal projects and to obtain funds therefor by the issuance of obligations, by taxation or otherwise; and to provide that securities issued, and properties held by a public agency hereunder shall be exempt from taxation; making legislative findings of slums and blight and public purpose in the rehabilitation, clearance, redevelopment and revitalization of the downtown as a blighted area (including slums), including the necessity in the public interest of the exercise of eminent domain to assemble and clear land for resale and redevelopment; providing a referendum procedure for approval of the levy of ad valorem taxes and other purposes, providing for notice and balloting by mail, providing for separate voting by residents and taxpayers of the downtown area; providing for the Authority to act as a special tax district when ad valorem taxes have been authorized by referendum, and providing for the levy and collection of such taxes; authorizing the Authority to provide for the construction of assessable improvements; providing for the making of special assessments for the improvements and the procedures to be followed in connection therewith; providing for the collection of special assessments and the foreclosure of delinquent assessments or installments, including acceleration of payment and recovery of attorney's fees and costs; authorizing issuance of assessment bonds and bond anticipation notes; providing for the pledge of taxes, assessments, revenues and other properties as security for the payment of bonds; providing for the lien of pledges of revenues, taxes and assessments; providing for this act and the Authority created hereunder to expire in the year 2020; and providing for a power of veto by the city council; including a legislative finding that notice is adequate; providing severability and an effective date.

—was read the second time by title.

Senator Barron moved the following amendments which were adopted:

Amendment 1—On page 1, line 19, strike “to exempt from taxation, all single family dwellings within the district;”

Amendment 2—On page 32, line 27, strike “Such tax shall not be levied on homestead exempt properties or other single family dwellings”

Amendment 3—On page 46, lines 1—29, strike all of page 46 and renumber subsequent pages

On motion by Senator Gallen, by two-thirds vote CS for HB 4138 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4145—A bill to be entitled An Act relating to street-lighting districts in the unincorporated areas of Pinellas County; repealing Chapter 70-899, Laws of Florida, which provides for the establishment and maintenance of street-lighting districts in the unincorporated areas of Pinellas County; providing an effective date.

—was read the second time by title. On motion by Senator Saylor, by two-thirds vote HB 4145 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of HB 4146 was deferred.

HB 4156—A bill to be entitled An act relating to Seminole County, Florida; providing that Sections 155.04, 155.12 and 155.25, Florida Statutes, shall not apply to Seminole County; providing for establishment of county hospitals, petition and election; providing for bond issues and a three (3.00) mill limit thereon; providing for general powers and duties of trustees; providing for approval by the board of county commissioners of Seminole County of board of trustee annual budgets; providing for tax levy by the board of county commissioners; providing a sixty-five one hundredth (.65) millage limit for annual budget purposes; providing purchasing restrictions and requirements; providing a one (1) mill limit for erection, equipment, repair, and additions to public hospitals; providing for construction of act and severability; providing for an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote HB 4156 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4157—A bill to be entitled An act to amend section 8 of Chapter 61-2232, Laws of Florida, Special Acts of 1961, as amended by Chapter 72-553 Laws of Florida, Special Acts of 1972, by deleting said section 8 as originally written and amended and inserting in lieu thereof a new section providing for authority to the board of commissioners of Highlands County Hospital District to borrow money, to secure the re-payment thereof by execution of promissory notes and mortgages; establishing a maximum rate of interest that the board may pay

and fix the term within which said loans shall be repaid and to pledge as security for said loans any of the district's real or personal property or any monies accruing, or to accrue, to it from any source including revenue derived from operation of said hospital and payments due or to become due from any other fund legally available to the district; to provide that the aggregate amount of principal so borrowed upon the notes and mortgages of said district shall not at any one time exceed the sum of seven hundred fifty thousand (\$750,000.00) dollars; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4157 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4167—A bill to be entitled An act relating to the Hillsborough County zoning board of adjustment; amending §7 of chapter 24592, Laws of Florida, 1947, as amended; providing that the board of county commissioners shall appoint the board of adjustment; providing for removal for cause of board of adjustment members by the board of county commissioners; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4167 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4170—A bill to be entitled An act relating to Pasco County; establishing the board of consumer affairs and appeals; providing for procedures and records; providing powers and jurisdiction; establishing the office of director of the board; providing powers and duties of the director; providing investigation procedures; providing funding; providing definitions; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 4170 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4171—A bill to be entitled An act relating to Pasco County; creating the Anclote Key County Park; requiring Pasco County to develop the area along specified lines; directing the county to appropriate funds for the purpose of developing the park; providing for a referendum election.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 4171 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4183—A bill to be entitled An act relating to the Clam Bay Water and Sewer District in Collier County, repealing Chapter 73-438, Laws of Florida, to abolish said district; providing an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 4183 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Sayler	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	Zinkil
Glisson	McClain	Smathers	
Graham	Myers	Sykes	

Nays—1

Stolzenburg

HB 3203—A bill to be entitled An act relating to Pinellas County; providing for the moneys to reimburse the Upper Pinellas Association of Retarded Children, a tax exempt charitable organization located in Pinellas County, for payment of certain paid ad valorem taxes; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote HB 3203 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4042—A bill to be entitled An act relating to DeSoto and Charlotte counties; creating and establishing Deer Run Improvement District in said counties; fixing its boundaries; providing for the management and government of the affairs of the district by a board of supervisors; providing for election, qualification, organization, term of office and compensation of the board of supervisors; providing for the filling of vacancies; providing for meetings of the board of supervisors and other proce-

dures; providing for elections, the qualification of electors, registration of voters, and election procedures; providing for the powers and duties of the board of supervisors to carry out the purposes of the district; providing powers and duties of the improvement district, among them the ownership, acquisition, mortgage, lease, and disposal of property and facilities, the levy of ad valorem taxes, the investment of surplus funds, the borrowing of money, the regulation of water use and of sewers and other sanitary facilities, pest controls, the furnishing of services and facilities of all kinds, among them water and sewer systems, airport facilities, mass transit system, communication system, parking facilities, cultural, recreational and educational facilities, fire protection, conservation areas and sanctuaries, streets, sidewalks, street lighting and related facilities, drainage, reclamation, irrigation, water and flood control, erosion control and other projects, and the financing of projects and activities through bonds and other obligations; providing power to issue general obligation bonds, revenue bonds, and refunding bonds; providing for the pledge of taxes, assessments, revenues, and other properties as security to the payment of bonds; providing for the lien of pledged revenues, taxes and assessments; providing for the making of special assessments for improvements and the procedure to be followed in connection therewith; providing authority to set rates, fees, and other charges, and to make agreements and contracts for services and pledge the same as security for district bonds, providing for the construction of district projects with or without competitive bidding; providing severability; providing effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4042 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Pettigrew	Trask
Childers	Johnson	Poston	Vogt
Deeb	Johnston	Saunders	Ware
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—1

Henderson

HB 4069—A bill to be entitled An act relating to Hillsborough County; amending §4(2), (6), and (7), chapter 72-564, Laws of Florida, authorizing the Brandon planning and zoning authority to employ a qualified treasurer, collect fees and accept and expend funds, grants, and other moneys and use the services from governmental or private sources; adding subsection (6) to §7, chapter 72-564, Laws of Florida, requiring a person, firm, or corporation proposing to construct, modify, or add to any building or structure within the Brandon area to obtain a zoning permit prior to the issuance of a building permit; providing for reimbursement to Hillsborough County by the authority for expenses; amending §10(1), chapter 72-514, Laws of Florida, requiring Hillsborough County planning commission and engineering department to furnish professional services; clarifying vote required to amend regulations or districts of the authority when not approved by the Hillsborough County planning commission; adding sections 14 and 15 to chapter 72-564, Laws of Florida, requiring the preparation of an annual budget by the authority; providing that funds of the authority will be held and disbursed by a treasurer designated by the authority requiring transfer of fees collected in Brandon area to the authority; repealing §10(4), chapter 72-564, Laws of Florida, relating to the provision of funds for the authority by the Hillsborough County commission; providing an effective date.

—was read the second time by title.

Senators McClain and Lane (23rd) offered the following amendment which was moved by Senator Lane (23rd) and adopted:

Amendment 1—On page 1, line 18, strike "chapter 72-514" and insert: chapter 72-564

On motion by Senator Lane (23rd), by two-thirds vote HB 4069 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Gruber	Pettigrew	Trask
Childers	Henderson	Poston	Vogt
Deeb	Johnson	Saunders	Ware
de la Parte	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—1

McClain

HB 4075—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 7487, Laws of Florida, 1917, relating to the creation of reclamation districts within the unincorporated areas of the county; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 4075 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4125—A bill to be entitled An Act relating to Pinellas County; providing for legislative intent; providing for hiring a consultant firm to design a civil service system for Pinellas County constitutional officers and county government; providing for approval by constitutional officers and county commissioners; providing for implementation; providing for repeal, upon implementation, of previous civil service systems; providing for severability; providing an effective date.

—was read the second time by title.

Senator Sayler moved the following amendment which was adopted:

Amendment 1—On page 2, line 17, strike "the" after the word "and." and insert: all employees of

On motion by Senator Sayler, by two-thirds vote HB 4125 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Consideration of House Bills 4148 and 4149 was deferred.

CS for HB 4165—A bill to be entitled An act creating Pelican Bay Improvement District, in Collier County, Florida, providing for water management and control systems, and water and sewage facilities; providing for the management of the affairs of the district by a board of supervisors; providing for the powers and duties of the board of supervisors to carry out the purposes of the district; providing for the assessment and collection of benefit taxes, maintenance taxes and ad valorem taxes, authorizing the issuance of obligations of the district to finance the construction and operation of the works and projects of the district; providing for adopting and completing water management and control plans; authorizing the establishment of charges for the facilities and services of the district; providing for the enforcement of the provision of the act or the rules adopted hereunder; and providing for an effective date.

—was read the second time by title. On motion by Senator Lane (31st), by two-thirds vote CS for HB 4165 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Sayler	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	
Glisson	McClain	Smathers	
Graham	Myers	Sykes	

Nays—2

Stolzenburg Zinkil

HB 3080—A bill to be entitled An act relating to Monroe County; amending §3 of chapter 73-553, Laws of Florida, relating to the payment of commissions to the tax assessor and tax collector; removing the provision which provides for the automatic repeal of said chapter; providing an effective date.

—was read the second time by title.

Senator Poston moved the following amendment which was adopted:

Amendment 1—On page 1, strike lines 7, 8 and 9 and insert: and tax collector; repealing section 1 of chapter 73-553, Laws of Florida; providing an effective date.

On motion by Senator Poston, by two-thirds vote HB 3080 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 4001—A bill to be entitled AN ACT relating to Lee County; establishing and organizing a municipality to be known and designated as the City of Sanibel in said county; defining its territorial boundaries; providing for its government, jurisdiction, powers, franchises, immunities, privileges and means for exercising the same; prescribing the general powers to be exercised by said city; providing for a referendum.

—was read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 4001 was read the third time by title, passed and certified to the House.

Yeas—34

Mr. President	Gruber	Peterson	Trask
Childers	Henderson	Pettigrew	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Sayler	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Sims	Zinkil
Glisson	McClain	Smathers	
Graham	Myers	Sykes	

Nays—1

Stolzenburg

HB 4088—A bill to be entitled An Act relating to Pinellas County; amending subsection (1), section 7, chapter 73-594, Laws of Florida, amending the right of the board of county commissioners to review the budget of the Pinellas County Planning Council allowing increases or reductions; amending subsection (8), section 9, chapter 73-594, Laws of Florida, providing for a veto of plans, codes and regulations adopted by the council; repealing subsection (8), section 5, chapter 72-594, Laws of Florida, relating to the adoption of plans, codes and regulations by the council; amending Chapter 73-603, Laws of Florida eliminating Task Force and assigning all powers and duties of Task Force to Pinellas Planning Council; providing an effective date.

—was read the second time by title.

Senator Sayler moved the following amendments which were adopted:

Amendment 1—On page 1, line 24, through page 3, line 21, strike in its entirety and insert: Section 1. Subsection (1) of section 7 of chapter 73-594, Laws of Florida, is amended to read:

Section 7. Budget, fiscal year, appropriations, contributions, etc; annual audits and reports.—

(1) The executive director of the council shall annually prepare the budget of the council. Said budget shall be kept within the limit of funds annually available to the council, and each item in the budget shall be fully explained. The council shall approve and adopt the annual budget and all deliberations on the budget by the council shall be done at meetings open to the public. Each organization contributing to the maintenance of the council shall be provided a copy of the proposed and adopted budget. Copies of the proposed and adopted budget shall be supplied to the governing body of each local government unit and to the news media of Pinellas County. The fiscal year of the council shall be the same as the board of county commissioners of Pinellas County. Notwithstanding the above, the board of county commissioners of Pinellas County shall have the right to review and reduce the budget, raising or reducing it as they deem necessary.

Section 2. Subsection (8) of section 9 of chapter 73-594, Laws of Florida, is amended to read:

Section 9. Adoption of plans; procedure, binding effect, etc.—

(8) After the final adoption by the council of any plan, code or regulation, said document shall be filed with each local unit of local government in Pinellas County, with the Tampa Bay Regional Planning Council, and with the division of state planning. *Said plans, codes and regulations shall become effective unless vetoed within forty-five days by the governing bodies of units of local government representing more than 50 percent of the population or by governing bodies of 10 municipalities representing 25 percent of the population of the county, based upon the latest population figures published by the Pinellas County planning council. For this purpose, the board of county commissioners shall represent the population of the unincorporated areas. The veto shall be accompanied by reasons for same and submitted in writing to the Pinellas planning council. Once adopted and ratified as provided in section 5(9) and filed and recorded in the office of said clerk of the circuit court, such document shall have all the force and effect of a law, and shall be enforced as provided by law or by extraordinary remedy or injunction. Any comparable plan, code or regulation effective in any unit of local government shall stand repealed.*

Section 3. Subsection (8) of section 5 of chapter 73-594, Laws of Florida, is hereby repealed.

Section 4. Section 5 of chapter 73-594, Laws of Florida, is amended by adding subsection (11) to read as follows:

(11) The Pinellas planning council shall, within six months from the effective date of this act, develop and propose county-wide subdivision regulations, a zoning code and master drainage plan, to be effective within Pinellas County and all municipalities pursuant to adoption as provided in Section 9.

(a) A well-known consultant firm from outside Pinellas County, with expertise on matters of subdivision regulation, zoning and land use control, may be retained by the council to draw up the proposed county-wide plan.

Section 5. Section 6 of chapter 73-594, Laws of Florida, is amended by adding subsection (4).

County-wide planning department established.—

(4) The Pinellas County environmental assessment study task force, as created by chapter 73-603, is hereby transferred to the council. All powers, duties and functions of the task force, as prescribed by chapter 73-603, are to be performed within the framework of the council.

Section 6. This act shall take effect upon becoming a law.

Amendment 2—On page 1, line 16, after "council," insert: amending section 5, chapter 73-594, Laws of Florida, providing for the development and proposal of county-wide subdivision regulations, a zoning code and master drainage plan; permitting the hiring of a consultant firm;

On motion by Senator Sayler, by two-thirds vote HB 4088 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

SB 1130—A bill to be entitled An Act relating to Manatee County, commercial fishing; amending section 1 of Chapter 70-799; closing certain inland waters of Manatee County to commercial fishing and netting; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote SB 1130 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HCR 4082—A concurrent resolution in memory of Florida Highway Patrol Sergeant G. W. "Whitey" Knutsen.

—was read the second time in full. On motion by Senator Gallen, HCR 4082 was adopted and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

HB 3190—A bill to be entitled An act relating to the naming of state buildings; authorizing and directing the board of regents to name the library building at Florida Atlantic University the "Stanley E. Wimberly Memorial Library"; providing an effective date.

—was read the second time by title. On motion by Senator Graham, by two-thirds vote HB 3190 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Graham	Myers	Stolzenburg	

Nays—None

Explanation of vote

I voted against the following local bills: CS for HB 3222 and House Bills 3238, 3979, 4077 and 4096 for the reason that they could have been enacted by the cities that sponsored them under the home rule power previously granted by the legislature.

William M. Gillespie, 10th District

Senator Myers presiding

On motion by Senator Smathers, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 30, 1974

I am directed to inform the Senate that the House of Representatives requests the return of SB 395.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

On motion by Senator Trask, SB 395 was returned to the House as requested.

The Honorable Mallory E. Horne, President May 30, 1974

I am directed to inform the Senate that the House of Representatives refused to recede from House Amendment 1 to CS for SB 724 and acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Haben, Young and Kutun as the Conferees on the part of the House.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 30, 1974

I am directed to inform the Senate that the House of Representatives acceded to the request of the Senate for a Conference

Committee. The Speaker has appointed Representatives Shreve, Jones, Langley as the Conferees on the part of the House, on HB 2922.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 30, 1974

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Shreve, Jones and Langley as Conferees on the part of the House on SB 171.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 30, 1974

I am directed to inform the Senate that the House of Representatives has adopted the Conference Committee Report as an entirety and passed HB 1145 as amended by the Conference Committee Report.

Allen Morris, Clerk

CONFERENCE COMMITTEE REPORT ON HB 1145

The Honorable Mallory E. Horne May 30, 1974
President of the Senate

The Honorable T. Terrell Sessums
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on House Bill 1145, same being:

An act relating to education; amending subsections 229.57(3) and 229.57(4), Florida Statutes, 1971, to limit application of educational accountability program to the subject areas of reading, writing, and mathematics until implementation of this act has been completed in those specific subject areas; providing an effective date.

having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the Senate Amendments #2 and #4 attached hereto be accepted.
2. That Conference Committee Amendments #1 and #2 attached hereto be adopted in lieu of Senate Amendments #1 and #3.

T. Terrell Sessums
William R. Conway
Robert Johnson
C. William Nelson

D. Robert Graham
Curtis Peterson
Bruce A. Smathers
Jim Glisson

Managers on the part of the
House of Representatives

Managers on the part of the
Senate

Conference Committee Amendment 1—On page 2, line 6 after "Objectives" insert: *Such system shall include procedures for assuring comparability where appropriate between student performance information collected and reported by this system and national indicators of student performance.*

Conference Committee Amendment 2—In title, line 6, after "1971" insert: to provide procedures to assure comparability between state assessment and national assessment;

Senate Amendment 2—On page 2, lines 24—30, insert: (4) *Implementation.—This section shall apply to the subject area of reading by the 1971-72 school year and the subject areas of writing and mathematics by the 1972-73 school year. No other subject area shall be tested until assessment in the subject areas of reading, writing, and mathematics has been implemented. Such implementation shall include the testing of all third and sixth graders in the state by the 1974-75 school year and of all third through sixth grade students by the 1975-76 school year in the basic areas of reading, writing and mathematics. An interpretation of such test in each school shall be reported in the annual report of school progress.*

Senate Amendment 4—In title, line 11, after "areas;" insert: to provide that all students will be tested in the third through the sixth grade by 1975-76;

On motion by Senator Smathers the Conference Committee Report was read.

On motion by Senator Smathers the report of the Conference Committee as an entirety was adopted, HB 1145 passed as recommended and was certified to the House. The vote was:

Yeas—29

Mr. President	Gordon	Poston	Vogt
Childers	Graham	Saylor	Williams
Deeb	Gruber	Scarborough	Wilson
de la Parte	Lane (23rd)	Sims	Winn
Firestone	McClain	Smathers	Zinkil
Gallen	Myers	Stolzenburg	
Gillespie	Peterson	Sykes	
Glisson	Pettigrew	Trask	

Nays—None

Senator Sims moved that the Senate revert to consideration of the consent calendar and the motion failed.

SPECIAL ORDER

The Senate resumed—

HB 1543 (cs)—A bill to be entitled An act relating to the Florida public service commission; adding subsections (2) and (3) to §366.04, Florida Statutes, extending commission jurisdiction over rural electric cooperative and municipal electric utilities for certain purposes; authorizing the commission to plan and develop a coordinated electric power grid; adding subsections (7) and (8) to §366.05, Florida Statutes, authorizing the commission to require certain reports and to require necessary facilities for the reliability of the energy grid; creating §366.05, Florida Statutes, providing for availability of energy reserves; creating §366.061, Florida Statutes, providing for a study of rate structure by the legislature; providing an appropriation; amending §366.11, Florida Statutes, providing limitations on certain exemptions; providing an effective date.

Senator Sykes moved that consideration of HB 1543 (cs) be deferred and the motion failed.

The President Pro Tempore presiding

Senator Wilson moved the following amendment to Amendment 1 which failed:

Amendment 1f—On page 1, strike lines 19—31 and on page 2 strike lines 1—6 and insert: (and renumber subsequent sections accordingly)

Section 1. Section 366.02, Florida Statutes, is amended to read:

366.02 Public utility defined.—The term public utility as used herein means and includes every person, corporation, partnership, association or other legal entity and their lessees, trustees or receivers, now or hereafter either owning, operating, managing or controlling any plant or other facility supplying electricity or gas (natural, manufactured or similar gaseous substance) to or for the public within this state, directly or indirectly for compensation; but the term "public utility" as used herein does not include either a cooperative now or hereafter organized and existing under the rural electrification cooperative law of the state nor a utility owned or operated by a municipality if such utility is operated exclusively within the boundaries of that municipality nor any natural gas pipeline transmission company making only sales of natural gas at wholesale and to direct industrial consumers, or ~~nor~~ a person supplying liquified petroleum gas, in either liquid or gaseous form, irrespective of the method of distribution or delivery, unless such person also supplies electricity, manufactured or natural gas.

Senators Johnston, Childers, Sims and McClain offered the following amendment to Amendment 1 which was moved by Senator Johnston and adopted:

Amendment 1g—On page 5, line 24, strike Section 6 and insert: Section 6. Section 366.015, Florida Statutes, is created to read:

366.015 Interagency liaison.—The Florida public service commission is directed to provide for and assume primary responsibility for establishing and maintaining continuous liaison with all other appropriate state and federal agencies whose policy decisions and rule-making authority affect those utilities which the commission has primary regulatory jurisdiction. This liaison shall be conducted at the policy-making levels as well as department, division or bureau levels. Active participation in other agency public hearings is encouraged to transmit the commission's policy positions and information requirements in order to provide for more efficient regulation.

Section 7. This act shall take effect July 1, 1974.

Senators Johnston and Sims offered the following amendment to Amendment 1 which was moved by Senator Johnston and adopted:

Amendment 1h—On page 1 in title, line 20, after the semicolon insert: creating §366.015, Florida Statutes, directing the Florida public service commission to assume primary responsibility for initiation of interagency liaison in all technical areas affecting utilities under its primary jurisdiction;

Senator Sims moved the following amendments to Amendment 1 which failed:

Amendment 1i—On page 5, between lines 23 and 24 insert: Section 6. The Orlando municipal utilities are hereby exempted from the provisions of this act.

(Renumber subsequent section.)

Amendment 1j—On page 1, lines 10 and 11, strike "The Orlando Utilities Commission is excluded from (a) and (h)"

Amendment 1k—On page 2, line 19, strike the words "further have jurisdiction" and insert: coordinate with the utility companies for

Amendment 1l—On page 3, line 1, strike words, "Shall have the power to require" and insert: may request

Senator Pettigrew moved the following amendment to Amendment 1 which was adopted:

Amendment 1m—On page 2, line 5, following amendment number 1-d, insert: (3) To assure efficient and reliable operation of a state energy grid, the commission shall have the power to require any electric utility to transmit electric energy over its transmission lines from one utility to another or as a part of the total energy supply of the entire grid, subject to the provisions hereof.

Senator Scarborough moved the following amendment to Amendment 1 which failed:

Amendment 1n—On page 5, between lines 23 and 24, strike "366.041 (3)" and insert: 366:041 (3) strike the period and add the following: This definition shall include and apply to all municipally owned and operated electric utilities

Senator Firestone moved that time of adjournment be extended until 6:00 p.m.

Senator Plante moved a substitute motion that time of adjournment be extended until 5:05.

Senator Firestone moved as an amendment to the substitute motion that time of adjournment be extended until 6:01. The motion was adopted by the following vote:

Yeas—27

Mr. President	Graham	Poston	Ware
Brantley	Gruber	Saunders	Weber
de la Parte	Henderson	Sayler	Williams
Firestone	Lewis	Scarborough	Wilson
Gillespie	Myers	Smathers	Winn
Glisson	Peterson	Sykes	Zinkil
Gordon	Pettigrew	Vogt	

Nays—8

Childers	Johnson	Lane (31st)	Plante
Gallen	Johnston	Lane (23rd)	Sims

Senator Gordon moved the following amendment to Amendment 1 which failed:

Amendment 1a—On page 4, strike lines 1 through 5 and insert: The president of the senate and the speaker of the house of representatives shall each designate a standing committee of their respective houses and these committees

Senator Johnston moved the following amendment to Amendment 1 which failed:

Amendment 1p—On page 1, line 13, strike "operational as well as"

Amendment 1 as amended was adopted.

On motion by Senator Horne, by two-thirds vote HB 1543 (cs) as amended was read the third time by title. The vote was:

Yeas—30

Mr. President	Glisson	Lewis	Trask
Barron	Gordon	McClain	Vogt
Brantley	Graham	Myers	Williams
Deeb	Gruber	Pettigrew	Wilson
de la Parte	Henderson	Sayler	Winn
Firestone	Johnson	Scarborough	Zinkil
Gallen	Lane (31st)	Smathers	
Gillespie	Lane (23rd)	Sykes	

Nays—5

Childers	Plante	Sims	Stolzenburg
Johnston			

Senator Scarborough moved the following amendment which failed:

Amendment 2—On page 5, line 1, strike "366:041 (3)" and the period and insert: Chapter 366:041 (3) shall apply to those counties having a chartered consolidated form of Government.

Senator Johnston moved the following amendment which failed:

Amendment 3—On page 4, line 28, strike "fifty thousand dollars (\$50,000)" and insert: two hundred thousand dollars (\$200,000)

Senator Childers moved the following amendment:

Amendment 4—On page 1, line 14, after the word "purposes" insert: provided that any expenditures required for the construction of transmission lines shall be paid by the state

Senator Barron moved that further consideration of HB 1543 (cs) be deferred.

On motion by Senator Lewis by two-thirds vote debate on the motion was limited to 1 minute per side.

The question recurred on the motion by Senator Barron and the motion failed.

The question recurred on Amendment 4 and on motion by Senator Henderson, by two-thirds vote debate was limited to 30 seconds per side.

Amendment 4 failed.

Senator Childers moved the following amendment:

Amendment 5—On page 1, line 11, strike the period and insert: providing that the cost of advertising shall not be included as a factor in setting rates.

On motion by Senator Henderson by two-thirds vote debate on Amendment 5 was limited to 1 minute per side.

Amendment 5 failed.

HB 1543 (cs) passed as amended and was certified to the House. The vote was:

Yeas—27

Mr. President	Glisson	McClain	Ware
Barron	Gordon	Myers	Weber
Brantley	Graham	Pettigrew	Williams
Deeb	Gruber	Sayler	Wilson
de la Parte	Henderson	Scarborough	Winn
Firestone	Lane (23rd)	Smathers	Zinkil
Gillespie	Lewis	Vogt	

Nays—10

Childers	Johnston	Saunders	Trask
Gallen	Plante	Sims	
Johnson	Poston	Sykes	

By unanimous consent Senator Lane (31st) was recorded as voting yea.

The President presiding

On motions by Senator Brantley, unanimous consent was obtained to take up out of order HB 2627, CS for HB 2848, HB 2931 and HB 3531.

HB 2627—A bill to be entitled An act relating to the Jefferson County Kennel Club; authorizing the board of business regulation of the department of business regulation to allow the Jefferson County Kennel Club to conduct one (1) charity day in addition to the charity days presently allowed the Jefferson County Kennel Club under general law; requiring that fifty (50) percent of the proceeds from said day of operation be allocated to and paid to the Monticello Opera Company of Monticello, Florida; providing an effective date.

—was read the second time by title.

Senator Horne offered the following amendment which was moved by Senator Brantley and adopted:

Amendment 1—On page 2, line 3, strike "1971"

On motion by Senator Brantley, by two-thirds vote HB 2627 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Glisson	Lewis	Sykes
Brantley	Gordon	McClain	Trask
Childers	Graham	Myers	Vogt
Deeb	Gruber	Pettigrew	Ware
de la Parte	Henderson	Plante	Weber
Firestone	Johnson	Poston	Wilson
Gallen	Johnston	Saunders	Winn
Gillespie	Lane (23rd)	Smathers	Zinkil

Nays—None

CS for HB 2848—A bill to be entitled An act relating to charity racing days; amending §550.03, Florida Statutes, as amended by §137, chapter 73-333, Laws of Florida; authorizing the board of business regulation to extend the time limitations for horse tracks in Hillsborough County for an additional third charity day, the proceeds of which shall go to the Pasco-Hernando Community College; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote CS for HB 2848 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Glisson	McClain	Trask
Barron	Gordon	Myers	Vogt
Brantley	Graham	Pettigrew	Ware
Childers	Gruber	Plante	Weber
Deeb	Henderson	Poston	Wilson
de la Parte	Johnson	Saunders	Winn
Firestone	Johnston	Sims	Zinkil
Gallen	Lane (23rd)	Smathers	
Gillespie	Lewis	Sykes	

Nays—None

HB 2931—A bill to be entitled An act relating to Florida Downs and Turf Club, Inc.; authorizing the board of business regulation of the department of business regulation to allow the Florida Downs and Turf Club, Inc., to conduct one (1) charity day in addition to the charity days presently allowed the Florida Downs and Turf Club, Inc., under general law; requiring that fifty (50) percent of the proceeds from said day of operation be allocated and paid to the trustees of the Hillsborough Community College, and the remaining fifty (50) percent of the proceeds be paid to the St. Petersburg Junior College Alumni Association, Inc., for use in granting scholarships; providing an effective date.

—was read the second time by title.

Senator Ware moved the following amendment which was adopted:

Amendment 1—On page 2, line 2, strike “community” and insert: junior

On motion by Senator Brantley, by two-thirds vote HB 2931 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Glisson	McClain	Trask
Barron	Gordon	Myers	Vogt
Brantley	Graham	Pettigrew	Ware
Childers	Gruber	Plante	Weber
Deeb	Henderson	Poston	Wilson
de la Parte	Johnson	Saunders	Winn
Firestone	Johnston	Sims	Zinkil
Gallen	Lane (23rd)	Smathers	
Gillespie	Lewis	Sykes	

Nays—None

HB 3531—A bill to be entitled An act relating to charity racing days; amending subsection (1) of §550.03, Florida Statutes, to provide for an additional charity day for any track or fronton in St. Lucie County or Marion County with the proceeds of said day to be paid, respectfully, to the Indian River Community College or the Central Florida Community College; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 3531 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Glisson	McClain	Trask
Barron	Gordon	Myers	Vogt
Brantley	Graham	Pettigrew	Ware
Childers	Gruber	Plante	Weber
Deeb	Henderson	Poston	Wilson
de la Parte	Johnson	Saunders	Winn
Firestone	Johnston	Sims	Zinkil
Gallen	Lane (23rd)	Smathers	
Gillespie	Lewis	Sykes	

Nays—None

Senator Plante moved that the rules be waived and the Senate revert to Messages from the House of Representatives and the motion failed by the following vote:

Yeas—16

Mr. President	Gordon	Plante	Williams
de la Parte	Graham	Scarborough	Wilson
Firestone	Myers	Smathers	Winn
Glisson	Pettigrew	Stolzenburg	Zinkil

Nays—18

Barron	Henderson	Poston	Vogt
Childers	Johnson	Saunders	Ware
Deeb	Johnston	Sims	Weber
Gallen	Lewis	Sykes	
Gruber	McClain	Trask	

Senator Saunders presiding

HB 1814 (cs)—A bill to be entitled An act relating to pollution control; amending §403.088(6), Florida Statutes, 1973, which relates to water pollution operation permits, to provide that the sole authority for the issuance of interim permits for the installation, operation, and use of package treatment plants is the department of pollution control and to provide for the issuance of such permits; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 1814 (cs) was read the third time by title, passed and certified to the House. The vote was:

Yeas—21

Barron	Gruber	Scarborough	Ware
Childers	Henderson	Sims	Wilson
Deeb	Lane (31st)	Smathers	Zinkil
Firestone	Lane (23rd)	Stolzenburg	
Gillespie	Lewis	Trask	
Graham	Sayler	Vogt	

Nays—10

Brantley	Johnson	Plante	Winn
Gallen	McClain	Poston	
Gordon	Myers	Sykes	

By unanimous consent Senator Firestone changed his vote from yea to nay.

SB 585 was taken up and on motion by Senator Childers—

HB 2728—A bill to be entitled An act relating to taking of marine corals and sea fans; amending §2 of chapter 73-145, Laws of Florida, appearing as §370.114(2), Florida Statutes, 1973; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Childers, by two-thirds vote HB 2728 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Brantley	Henderson	Poston	Trask
Childers	Johnson	Saunders	Vogt
Firestone	Johnston	Sayler	Ware
Gallen	Lane (23rd)	Scarborough	Weber
Gillespie	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Graham	Myers	Stolzenburg	
Gruber	Plante	Sykes	

Nays—None

By unanimous consent Senator Glisson was recorded as voting nay.

SB 585 was laid on the table.

SB 274—A bill to be entitled An act relating to motor vehicle license revenues; amending section 320.20, Florida Statutes, providing for deposit of revenues other than the first proceeds in the state transportation trust fund; providing disposition of funds in state transportation trust fund; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendments which were moved by Senator Poston and failed:

Amendment 1—On page 2, line 1, strike "1975" and insert: 1974

Amendment 2—On page 2, line 5, strike "1976" and insert: 1975

Amendment 3—On page 2, line 22, strike "1975" and insert: 1974

The Committee on Ways and Means offered the following amendment which was moved by Senator Poston and adopted:

Amendment 4—On page 2, line 5—11, strike all of Subsection (b)

On motion by Senator Poston, by two-thirds vote SB 274 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—29

Mr. President	Johnson	Poston	Vogt
Barron	Lane (31st)	Saunders	Ware
Firestone	Lane (23rd)	Saylor	Weber
Gallen	Lewis	Scarborough	Wilson
Gillespie	McClain	Sims	Zinkil
Glisson	Myers	Smathers	
Gruber	Pettigrew	Sykes	
Henderson	Plante	Trask	

Nays—2

Gordon Graham

On motion by Senator Barron, the rules were waived and time of adjournment was extended until 6:30 p.m.

CS for HB 4026—A bill to be entitled An act relating to education; creating §235.001, Florida Statutes, providing legislative intent; creating §235.012, Florida Statutes, creating an office of school facilities construction under the commissioner of education; creating §235.013, Florida Statutes, providing for interdepartmental cooperation in school construction; creating §235.014, Florida Statutes, providing duties and responsibilities of the office; creating §§235.015 and 235.016, Florida Statutes, providing for an associate commissioner and specifying duties and responsibilities; amending §235.06, Florida Statutes, 1973, empowering and directing the board of education to adopt regulations relating to health and safety standards at school plants; requiring each district school board to adopt certain policies in conformance with the standards; providing for periodic inspection of school plants by each school board to determine compliance with the standards; providing for correction of deficiencies or for closure of the school plant if not corrected; permitting inspection of any school plant by certain state and local agencies; providing standards for inspection by such agencies; providing procedures when deficiencies are noted by such agencies; providing for review of an order of any such agency for the correction of deficiencies by the state board of education; providing procedure for review; amending §235.211, Florida Statutes, 1973, requiring the state board to provide relocatable school facilities, and establishing criteria for said facilities; permitting the sale or lease of the facilities when need decreases; requiring the state board to develop prototype design criteria; defining prototype design criteria; providing for annual review and update of said design criteria; authorizing leasing of facilities; providing definitions for construction techniques; requiring conformity to the uniform building code; amending §235.26, Florida Statutes, 1973, empowering the of-

fice to prescribe a statewide mandatory and uniform building code for the construction of school facilities; prohibiting construction not in conformance with the code; requiring each school board and the office to enforce the code; requiring each district superintendent to submit specified information to the office for approval; providing for certain factors to be taken into consideration by the office; providing that the state board of education is the final board of appeals; requiring the office to annually review the code; providing for assistance by the department of community affairs for the construction of fall-out shelters; amending §235.31, Florida Statutes, 1973, to authorize school boards to negotiate with contractors to remodel, etc., existing school buildings when bidding would be difficult; amending §235.32, Florida Statutes, 1973, deleting the requirement that school plant construction contractors comply with the requirements of §215.19, Florida Statutes, relating to the rate of payment of wages for certain employees; creating §235.322, Florida Statutes, providing for rate of payment of wages for certain employees engaged in certain public construction; requiring employers to provide certain notification to their employees; providing a procedure for review of violation by a contractor of the wage rate provisions; providing exemptions; providing a penalty; creating §235.41, Florida Statutes, providing a procedure for the request of funds of the office by each school board; creating §235.42, Florida Statutes, empowering the state board of education to accept legislative appropriations; creating §235.43, Florida Statutes, transferring certain functions and programs from the division of elementary and secondary education and the division of vocational technical and adult education of the department of education and of the commissioner of education to the office; amending §236.013(5), Florida Statutes, 1973, and adding a subsection; redefining "relocatable facility" and defining "projected plant need"; amending §236.084(1) and (3), Florida Statutes, 1973, and adding a subsection, requiring the commissioner of education, in determining annual debt service needs of each school district, to include the projected cost of amortizing certain annual payments of bonded indebtedness; deleting the exemption given certain tax moneys from inclusion in available district capital outlay funds for purposes of the office's determination of district needs; requiring the office to include in such determination the amount of certain funds expended for school construction during the five (5) years immediately prior to each fiscal year except funds used for payment of bonded indebtedness; providing that the alleviation of overcrowding and elimination of multiple daily sessions be given first priority in the expenditure by a district of funds for school construction; providing for a certain part of the capital outlay allocation to be expended on the correction of safety and health deficiencies; providing for certain limits on the expenditure of state funds; amending §20.04(2) and (3) amending the structure of the executive branch to provide for area units for field operations and to provide that the principal unit within the staff organization of a department shall be an "office"; changing the head of a section within a bureau from administrator to manager; repealing §241.70, Florida Statutes, 1973, providing for school construction research projects by the department of education in conjunction with the University of Florida; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator Graham:

Amendment 1—On pages 5 through 46, strike everything after the enacting clause and insert:

Section 1. Section 235.001, Florida Statutes, is created to read:

235.001 Intent.—The intent of the legislature is:

(1) To guarantee to each student in the Florida public school system the availability of an educational environment appropriate to his educational needs which is substantially equal to that available to any similar student notwithstanding geographic differences and varying local economic factors.

(2) To utilize as far as practicable innovative designs, construction techniques, and financing mechanisms in building school facilities for the purpose of reducing costs, creating a more satisfactory educational environment, and reducing the amount of time necessary for design and construction to fill unmet needs.

(3) To provide a systematic mechanism whereby educational facilities construction plans can meet the current and projected needs of school populations as quickly as possible by building uniform, sound educational environments, removing the necessity of involuntary multiple daily sessions in elementary and secondary schools, and alleviating overcrowding and to provide a sound base for planning for educational facilities need.

(4) To provide a systematic plan for educational construction in each school district whereby school sites may be acquired, educational requirements formulated, and architectural plans and specifications developed so as to proceed immediately with the construction of educational facilities when funds are made available.

Section 2. Section 235.012, Florida Statutes, is created to read:

235.012 Office of educational facilities construction.—There is authorized and established an office of educational facilities construction which shall be a part of the staff organization of the commissioner of education. For purposes of this chapter, the term "office" shall mean the "office of educational facilities construction." The office shall recommend to the state board rules, regulations, and procedures for the administration of its programs and activities as hereinafter provided. Support for the programs and activities of the office shall be included in the legislative budget request of the commissioner of education.

Section 3. Section 235.013, Florida Statutes, is created to read:

235.013 Interdepartmental cooperation.—It is the intent of the legislature that the office draw upon the expertise and the staff of all appropriate departments and agencies of the state in fulfilling its functions. The functions of the division of planning of the department of administration, the functions of the division of building construction and maintenance of the department of general services, and all the functions of the department of education shall be utilized as needed and to the best advantage by the office so that the intent of the legislature is fully implemented.

Section 4. Section 235.014, Florida Statutes, is created to read:

234.014 Functions of the office.—The functions of the office shall include, but not be limited to, the following:

(1) To require of the local school boards the development and submission of long-range plans for educational facilities construction.

(2) To require local school boards to submit plans for necessary improvements to existing schools within the district.

(3) To authorize and request when there is a clear and present danger to life and safety, county and municipal governments, in cooperation with local school boards, to construct and maintain sidewalks or bicycle trails within a two mile radius of each school within the jurisdiction of the school board.

(4) To approve or disapprove, for reasons shown, each board's annual plan for educational facilities construction and its plans for specific projects.

(5) To require of the boards the submission of other data or information relevant to educational facilities construction or capital improvements.

(6) To require of each district, all agencies of the state, and other appropriate agencies, complete and accurate financial data as to the amounts of funds from all sources that are available for educational facilities construction.

(7) To recommend to the state board rules and regulations defining approved capital expenditures which shall be paid by the state.

(8) To approve or disapprove, for reasons shown, the acquisition of sites by the boards and plans and specifications for new educational facilities construction or for the improvement of existing structures on sites as submitted.

(9) To present a report to the state board of education on the needs of educational facilities construction and a suggested level of funding for each fiscal year.

(10) To develop the mechanisms to be used in bidding specific projects.

(11) To recommend to the state board rules and regulations relating to the actual construction of educational facilities and improvements to existing structures or sites.

(12) To require analyses of locally available materials in relation to economy, ready availability, and the speed of construction.

(13) To determine the roles of the different state and local government agencies, including planning commissions, in the planning, design, and construction of educational facilities and improvements to insure inclusion of services and programs for community centers that can appropriately be provided on a single site for the purpose of meeting current and future needs of the community to be served.

(14) To develop a mandatory, uniform building code for school construction and to promulgate appropriate administrative rules and regulations after the code is adopted by the state board of education.

(15) To insure as far as practicable that there be as much participation by local personnel as possible in its programs and activities, that local initiative be encouraged and utilized, and that the needs of local communities be given consideration when constructing new educational facilities or making additions or improvements to existing facilities in the community.

(16) To perform any other functions as may be involved in educational facilities construction which shall insure that the intent of the legislature is implemented.

Section 5. Section 235.015, Florida Statutes, is created to read:

235.015 Associate commissioner for educational facilities construction.—The programs and activities of the office shall be administered by an associate commissioner who shall be directly responsible to the commissioner. The associate commissioner shall be appointed by and serve at the pleasure of the commissioner.

Section 6. Section 235.016, Florida Statutes, is created to read:

235.016 Duties and responsibilities of the associate commissioner.—The duties and responsibilities of the associate commissioner shall include, but not be limited to, the following:

(1) To recommend rules and regulations for the operation of the programs and activities of the office and to present them to the state board of education.

(2) To recommend for employment staff sufficient to carry out all the functions and responsibilities of the office as hereinafter provided.

(3) To organize the staff in the most efficient way so as to carry out the duties, responsibilities, programs, and functions of the office effectively and to insure that the intent of the legislature is implemented.

(4) To submit to the commissioner an annual report on the projected needs of school facilities construction for each fiscal year and to recommend a suggested level of funding to be presented by the commissioner to the state board of education.

(5) To review all requests for construction funds made and to make recommendations to the commissioner concerning approval and funding.

(6) To perform such other functions as may be required of him by the commissioner, state board regulations, or law.

Section 7. Section 235.06, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section. See §235.06, F.S., 1973, for present text.)

235.06 Safety, sanitation, inspection, and condemnation of school property.—The state board of education is empowered and directed to adopt regulations prescribing standards for safety and health of occupants of school plants as a part of the state uniform building code for public educational facilities construction as provided in §235.26. These standards shall be used by all public agencies when inspecting public educational

facilities. In accordance with such standards, each school board shall prescribe policies and procedures establishing a comprehensive program of safety and sanitation for protection of occupants of public educational facilities. Such policies shall contain procedures for periodic inspections as prescribed herein, and for withdrawal of any school plant, or portion thereof, from use until unsafe or unsanitary conditions are corrected or removed.

(1) **PERIODIC INSPECTION OF SCHOOL PROPERTY BY SCHOOL BOARD.**—Each school board shall provide for periodic inspection of each public school plant at least once during each school year to determine compliance with standards of sanitation and safety prescribed in the regulations of the state board. Such inspection shall be conducted by qualified employees of the school board or, in the alternative and upon approval of the board, may be conducted by architects or engineers licensed to practice in Florida, or by appropriate state or local public agencies. A copy of each inspection report shall be forwarded to the department of education. If major deficiencies are noted in any inspection, the school board shall either take action to promptly correct such deficiencies or shall withdraw the school plant from use until such time as the deficiencies are corrected.

(2) **INSPECTION OF SCHOOL PROPERTY BY OTHER PUBLIC AGENCIES.**—A safety or sanitation inspection of any public school plant may be made at any time by the department of education or any other state or local agency authorized or required to conduct such inspections by either general or special law. Such inspections shall be conducted by staff members of the agency or by local personnel certified and authorized by the agency to perform inspections. Each agency conducting inspections shall use the standards adopted by the state board of education in lieu of, and to the exclusion of, any other inspection standards prescribed either by statute or administrative regulation. If deficiencies are noted in any inspection, the agency shall notify the local school board and upon their failure to take corrective action within a reasonable time may request the commissioner to:

(a) Order that appropriate action be taken to correct all deficiencies in accordance with a schedule determined jointly by the inspecting authority and the school board; provided that in the development of such schedule, consideration shall be given to the seriousness of the deficiencies and the ability of the school board to obtain the necessary funds; or

(b) After thirty (30) calendar days' notice to the school board, order all or a portion of the school plant withdrawn from school use until deficiencies are corrected.

Section 8. Section 235.211, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section. See §235.211, F.S., 1973, for present text.)

235.211 School design, construction techniques, and financing mechanisms.—

(1) **RELOCATABLE FACILITIES REQUIRED.**—The state board shall provide relocatable educational facilities for use at school centers upon request of the school board where there is an immediate need for pupil stations or where there is reason to believe the pupil population will not remain stable in the near future years. The state board shall make recommendations to the school boards for the use of relocatables under the circumstances described herein.

(a) The office is empowered and directed to provide systems-based modular relocatable facilities and to purchase or contract for the purchase of such modular relocatable facilities. The ownership of such facilities shall rest with the state board and shall be loaned to district school boards for use as instructional facilities on a pupil station need basis. Requests for use of these facilities shall be based on the relative numbers of students in each district in excess of the single session capacity of that district. Any amount of the funds earmarked herein for relocatable facilities and not committed for that purpose by March 1 of the fiscal year shall revert to the K-12 capital outlay trust fund as established in Section 4 of the 1973 general appropriation act for distribution as provided by §236.084.

(b) In choosing the facility which best meets the needs of the districts, the following factors shall be considered:

1. Portability;

2. Reconstructibility;
3. Demountability;
4. Durability of components;
5. Life span of the total system;
6. Simplicity standardization, and ease of replaceability of components;
7. Flexibility of interior spatial relationships;
8. Flexibility of external configurations;
9. Adaptability to solar energy systems;
10. Minimum foundation work;
11. Interfaceability with existing, conventional construction; and
12. Maximum recoverability of components when the facility is relocated.

(c) As pupil populations stabilize, as the number of schools which operate on involuntary multiple daily sessions decreases, and as the need for these facilities for instructional purposes decreases for whatever reason, the office is authorized to sell, lease, or otherwise dispose of the facilities to the district school boards, other state agencies, or other prospective buyers, to the best possible advantage of the state. Funds accruing from the sale or lease of these facilities shall become part of the K-12 capital outlay trust fund and shall be allocated as provided by §236.084.

(2) **PROTOTYPE DESIGN CRITERIA TO BE PROVIDED.**—The state board shall provide prototype design criteria for school plants for the purpose of providing districts with the means of constructing sound educational facilities more rapidly.

(a) The office is empowered and directed to develop prototype educational criteria, performance specifications, and design relationships for the several program-grade groups which shall be provided to each district by the office. These prototype design criteria shall be developed and distributed to the districts within six (6) months of the effective date of this act.

(b) Program-grade groups are facilities delineated by the programs or grades which they are designed to house. Prototype design criteria shall be developed for the following program-grade groups:

1. Elementary schools and kindergartens;
2. Middle or junior high schools;
3. Senior high schools; and
4. Vocational-technical facilities.

(c) The prototype design criteria shall be a general description of grade and program objectives, needs, and special requirements, suggested building materials, and construction and design configurations, including spatial relationships and traffic flows, of an educational facility and plant. The design criteria shall include, but not be limited to, the following items for each program-grade group:

1. Educational program description;
2. Educational facilities list;
3. Minimum and maximum square footage requirements for different functions and areas;
4. Minimum performance criteria for all systems, including mechanical, electrical, heating, cooling, ventilating, plumbing, and structural systems;
5. Energy efficiency and conservation requirements;
6. Spatial relationships of the different functions of the plant and facility and traffic flow and patterns;
7. Prototype design and criteria relating specifically to the each of the following:
 - a. Instructional areas;

b. Core areas which include administrative suites, guidance and counseling facilities, record storage areas, first aid facilities, faculty areas, media centers, libraries, and food centers;

c. Special instructional areas, such as exceptional education facilities, language and science laboratories, and physical education facilities; and

d. Ancillary facilities.

(d) The office shall annually review, revise, update, and improve the state board approved design criteria based upon the latest educational, technological, and construction developments so that the prototypes shall be representative of the most advanced procedures available. The office shall annually provide each local school district with a copy of the updated prototype design criteria for each program-grade group.

(e) Community service areas for initial design and instructional spaces that can be converted to community service areas should the pupil population decline.

(3) **LEASING AUTHORIZED.**—The office may require or approve the utilization of rented or leased facilities. Facilities may also be acquired by lease-purchase agreement, and any capital outlay funds available are hereby authorized to be expended for such purposes.

(4) **CONSTRUCTION TECHNIQUES AND FINANCING MECHANISMS.**—The office shall require local districts to employ procedures for the design and construction of new permanent facilities or major additions to existing facilities that will include, but not be limited to, the latest developments in construction techniques, materials, design, and concepts in order to insure that educational facilities are constructed rapidly and economically. The following concepts may be included in the requirements of the office:

(a) Systems building process which is defined as an approach to construction that combines the organization and programming, planning, design, financing, manufacturing, construction, and evaluation of buildings under single, or highly coordinated, management into an efficient total process. A total building system is an interdependent group of building subsystems forming a unified whole. The systems building process requires the standardization and multiple reuse of building subsystems for maximum compatibility and interfaceability of different structures and facilities.

(b) Fast-track construction scheduling which is defined as a method which involves the bidding and awarding of certain building subsystems after approval of preliminary design and before final document completion. Fast-track construction reduces construction time by permitting early subsystems manufacture and erection; it can improve cost and price control and eliminate extensive design development time by planners and designers.

(c) Construction management which is defined as a process whereby a single or highly coordinated authority is responsible for all scheduling and coordination in both design and construction phases and is generally responsible for the successful, timely, and economical completion of the construction project.

(d) Turnkey bidding which is defined as a method whereby the contractor agrees to complete construction to the user's specifications and requirements at a previously agreed cost.

(e) Design and build bidding which is defined as a procedure which requires that an architect, contractor, or engineer bid the entire design and construction of a project and which requires that the owner hire a single source for the project completion and be responsible for the development of performance specifications and technical criteria.

(f) The use of modular, prefabricated, and standardized components.

Notwithstanding anything above, a district school board shall be authorized to utilize its own procedures, designs, construction techniques, and materials, upon a showing to the office that such proposal will result in equivalent educational facilities without an increase in cost or a delay in construction.

(5) **UNIFORM BUILDING CODE.**—All educational facilities constructed by a school board shall incorporate the state

uniform building code for educational construction prescribed by regulations of the office as authorized in §235.26, and shall be exempt from all state, county, district, municipal, or local building codes and ordinances. Any inspection by local or state government shall be based on the uniform building code as prescribed by the office. Each school board shall provide for periodic inspection of the proposed educational plant during each phase of construction to determine compliance with the uniform building code. The uniform educational building code shall incorporate as part of its minimum standards the applicable provision of the state uniform building codes.

Section 9. Section 235.26, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section. See §235.26, F.S., 1973, for present text.)

235.26 The state uniform building code for public school construction.—The office is empowered and directed to recommend to the state board for approval regulations prescribing a mandatory, uniform, statewide building code for the construction of public educational facilities. Wherever the words "uniform building code" appear they shall mean the "state uniform building code for public educational facilities construction." It shall not be the intent of the uniform building code to inhibit the use of new materials or innovative techniques; nor shall it specify or prohibit materials by brand names; the code shall be flexible enough to cover all phases of construction which will afford reasonable protection for public safety, health, and general welfare. The office may secure the service of other state agencies or such other assistance as it may find desirable in the formulation of the code. The state uniform building code for public educational facilities construction shall have the force and effect of law and shall supersede any other code adopted by a local school board or any other building code or ordinance for the construction of educational facilities, whether at the local, county, or state level, and whether adopted by administrative regulation or legislative enactment. All special acts or general laws of local application are hereby repealed to the extent that they conflict with this section. After July 1, 1974, pursuant to section 11(a)(21) of article III of the state constitution, there shall not be enacted any special act or general law of local application which proposes to amend, alter, or contravene any provisions of the state building code for school construction adopted under the authority of this section.

(1) **CONFORMITY TO UNIFORM BUILDING CODE STANDARDS REQUIRED FOR APPROVAL.**—No superintendent shall recommend approval, and no school board shall approve any plans for the construction, erection, alteration, renovation, repair, or demolition of any educational facility in the district unless these plans conform to the requirements of the code promulgated by the office. It shall also be the responsibility of the office to develop as a part of the state uniform building code for public educational facility construction necessary standards relating to the following:

(a) Prefabricated or factory-built facilities which are designed to be portable, relocatable, demountable, or reconstructible and are used primarily as classrooms and which do not fall under the provisions of §§320.821—320.832.

(b) Sanitation of educational facilities and the health of occupants of school plants.

(c) Safety of occupants of school plants and of educational facilities as provided in §235.06.

(d) Energy efficiency of all mechanical systems, including heating, air conditioning, plumbing, ventilating, or electrical systems, and the energy efficiency of the overall design of the facility.

(2) **ENFORCEMENT BY LOCAL SCHOOL BOARD.**—It is the responsibility of each local school board to insure that all plans and facilities meet the standards of the uniform building code, and to provide for the enforcement of this code in the areas of their jurisdiction. Each school district is authorized to employ a chief building official or inspector and such other inspectors and personnel as may be necessary to administer and enforce the provisions of this code. School districts may also utilize local building department inspectors who are certified as provided herein to enforce this code. Inspectors shall show evidence of certification by

the office as having met the requirements of the office for uniform building code inspectors. Plans or facilities that fail to meet the standards of the uniform building code shall not be approved.

(3) **ENFORCEMENT BY OFFICE OF EDUCATIONAL FACILITIES CONSTRUCTION.**—As a further means of insuring that all educational facilities constructed or materially altered or added to hereafter conform to the uniform building code standards, each school board which undertakes the construction, erection, alteration, renovation, repair, or leasing of any educational facility, the cost of which exceeds twenty-five thousand dollars (\$25,000), shall see that the approval of the office is obtained as hereinafter provided; provided, however, that for any project involving construction of student instructional space the minimum amount requiring approval as provided herein shall be ten thousand dollars (\$10,000). No public school funds may legally be expended for the construction, erection, alteration, renovation, repair, or leasing of any educational facility unless the provisions of this section are observed and until the district school board has received a written statement from the office within the time limits as provided in this section that approval for the project has been granted.

(4) **OFFICE APPROVAL.**—

(a) Before the contract has been let for any construction project, the district school board shall require the superintendent to submit to the office two (2) copies of each of the following:

1. Phase I documents to include:
 - a. Educational specifications, and
 - b. Schematic drawings and proposals.
2. Phase II documents to include:
 - a. Preliminary drawings and proposals, and
 - b. Preliminary specifications.
3. Phase III documents, to include:
 - a. Completed contractual documents,
 - b. Energy efficiency studies, and
 - c. Life-cycle cost analyses.

The district school board shall not proceed with any proposed construction project until the written approval of the office is received. The office shall in writing approve, disapprove, make recommendations, or otherwise act on the phase documents submitted by a district within thirty (30) calendar days of the official receipt of each set of phase documents by the office. If the district school board does not receive written notice within the time prescribed above, then it shall proceed as if written approval had been received. The office is empowered and directed to adopt regulations providing for exceptions to the steps required for approval for state board approved prototype design criteria, reuse of previously approved district plans, and other plans and proposed minor renovations or construction projects which do not necessarily require detailed documentation and intense review by the office.

(b) In reviewing plans for approval, the office shall take the following into consideration:

1. Desirability and need for the new facility;
2. The educational planning;
3. The functional and architectural planning;
4. The location on the site;
5. Plans for future expansion;
6. The type of construction;
7. Sanitary provisions;
8. Conformity to uniform building code standards;
9. The structural design and the strength of materials proposed to be used;
10. The mechanical design of any heating, air conditioning, plumbing, ventilating, or electrical system;

11. The energy efficiency of the design;

12. Life-cycle cost considerations; and

13. The construction of special facilities for handicapped children.

(5) **STATE BOARD OF APPEALS.**—The state board of education shall be the final board of appeals for all questions, disputes, or interpretations involving the uniform building code and any district school board shall prepare in writing its reasons for objecting to decisions made by uniform building code inspectors or the office.

(6) **ANNUAL REVIEW AND UPDATE; DISSEMINATION.**—The office is authorized annually to review, update, revise, and improve the uniform building code. The office shall publish and make available at no cost one (1) copy of the code and each amendment and revision thereto to each local school board and to each code enforcement agency in the state. The office shall make additional copies available to all interested persons at a price sufficient to recover costs.

(7) **FALLOUT SHELTERS.**—

(a) After the effective date of this act, the school board may require the architect concerned in the initial design, stages of design, and construction of new educational facilities to apply for technical advice and counsel on fallout shelter slanting and cost-reduction techniques available without cost through the department of community affairs.

(b) Where the school board concerned determines the application of fallout shelter slanting and cost-reduction techniques to be feasible and economical for the inclusion of fallout shelter in the proposed educational facility, the design and construction of such educational facility may include fallout protection which meets the minimum standards for such protection as prescribed by the department of community affairs.

(c) School authorities of the state and its political subdivisions are authorized to modify existing educational structures to incorporate fallout shelter and the department of community affairs shall make available to such authorities the same professional services as set forth in paragraph (a). Such authorities are further authorized to participate in such federal assistance programs as may be available to assist local authorities in providing fallout protection in educational facilities.

Section 10. Section 235.31, Florida Statutes, 1973, is amended to read:

235.31 Advertising and awarding contracts for building or improvements.—

(1) As soon as practicable after any bond issue has been voted upon and authorized or funds have been made available for the construction, repair, alteration, or otherwise for the improvement of any school building; and after plans for the work have been approved by the office, the school board, after advertising the same in the manner prescribed by law, shall award the contract for such building or improvements to the lowest responsible bidder therefor; provided, that the school board may within its discretion reject any and all bids received if it deems the same expedient, and may readvertise, calling for new bids. For a project costing twenty thousand dollars or less, the school board may arrange for the building to be erected on a day labor basis.

(2)(a) As an option to the provisions prescribed above, school boards may elect to come under the auspices of regulations for the prequalification of bidders on school construction as shall be prescribed by the ~~office state board of education~~ ~~The office department of education~~ after consulting with a technical committee including representatives from recognized contractors' associations shall recommend to the state board of education the regulations for statewide application governing the prequalification of bidders on school construction projects. Except as otherwise provided herein the procedure for the adoption of such regulations by said state board shall be as prescribed in existing law.

(b) As another option, school boards may negotiate with contractors in accordance with the provisions of this subsection only for construction associated with the extensive repair, alteration, remodeling, renovation, or improvement of any existing school building but not for the expansion of the facility.

(c)(b) If any school board elects *either or both of the above options* ~~option~~, it shall publish for at least thirty days a notice of the board's intent to elect said option in a local newspaper having general circulation throughout said district after which a public hearing shall be held.

(d)(e) The school board shall adopt such policies, procedures and practices as are necessary to implement the state board regulations with regard to the prequalification of bidders. The superintendent shall submit a copy of the policies, procedures and practices as are to be adopted by the school board to the ~~office department of education~~ and these shall be approved by it.

(e)(d) The ~~office department of education~~ shall assure that a maximum degree of uniformity in requirements, procedures and practices are followed by those districts choosing to come under *either or both of these options* ~~this option~~. Neither the school board shall adopt nor the ~~office department~~ shall approve any procedure or requirement for the prequalification or the certification of contractors which may operate to restrict responsible competition to prevent submission of a bid by, or to prohibit the consideration of a bid submitted by, any responsible contractor, whether resident or nonresident of the district wherein the work is to be performed. Such regulations shall operate only to limit competition to parties able to promptly perform the conditions of the contract and to respond in damages in case of default.

(3)(a) The school board may negotiate a contract with a qualified contractor for services at compensation which the school board determines is fair, competitive and reasonable. In making such determination, the school board shall conduct a detailed analysis of the cost of the services required, in addition to considering their scope and complexity. For all lump-sum or negotiated contracts estimated to cost over fifty thousand dollars (\$50,000), the school board shall require the contractor receiving the award to execute a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting. Any contract under which such a certificate is required shall contain a provision that the original contract price and any additions thereto shall be adjusted to exclude any significant sums where the school board determines the contract price was increased due to inaccurate, incomplete or noncurrent wage rates and other factual unit costs. All such contract adjustments shall be made within one (1) year following the end of the contract.

(b) Should the school board be unable to negotiate a satisfactory contract with the contractor first considered to be qualified, at a price the school board determines to be fair, competitive and reasonable, negotiations with that contractor shall be formally terminated. The school board shall then undertake negotiations with another qualified contractor. Failing accord with the next qualified contractor, the school board shall terminate negotiations. The school board shall then undertake negotiations with another qualified contractor until their original list is exhausted or a selection is made.

(c) Should the school board be unable to negotiate a satisfactory contract with any of the originally selected contractors, the school board may select additional contractors and continue negotiations in accordance with this subsection until an agreement is reached.

(4)(3) Any person or firm desiring to bid or negotiate for the performance of any contract which the school board proposes to let must first be certified by the school board as qualified pursuant to law and regulations of the ~~office state board~~. The school board shall be required to act upon the application for qualification within thirty days after the same is presented. Upon receipt of such application the superintendent acting on behalf of said board shall cause the same to be examined and the statements therein to be verified and after obtaining whatever technical assistance is needed shall determine whether the applicant shall be recommended for certification to the school board. If the applicant is found to possess the prescribed qualifications, the superintendent shall recommend to the school board that a certificate of qualification be issued. The school board acting on the recommendation of the superintendent may issue a certificate of qualification valid for such period of time as it shall prescribe but not to exceed one year, provided the school board may revoke such certificate of qualification for cause.

(5)(2) The school board shall require all applicants to furnish the superintendent a statement under oath on such forms as the school board may prescribe, setting forth detailed information with respect to competence, past performance record, experience, financial resources and capability in conformity with ~~office state board~~ regulations, together with such other information as the school board may deem necessary. The ~~office state board~~ regulations may require that said application be accompanied by a current financial statement prepared by a public accountant certified in the state and prepared in accordance with standard reporting requirements prescribed by the said board. Financial information as may be required by such regulations shall remain confidential and shall not be disclosed to anyone except members of a local school board and its staff who may elect to adopt such regulations as hereinafter provided.

(6)(4) The certificate of qualification shall contain a statement fixing the actual amount of work, in terms of estimated cost, which the applicant will be permitted to have on contract with the board and not completed at any one time, and may contain a statement limiting such ~~applicant bidder~~ to the submission of bids or to negotiation upon a certain class of work. Subject to the foregoing restrictions, the certificate of qualification shall authorize the holder to bid on all work on which bids are taken or to negotiate on all work on which contracts are negotiated by the school board during the period of time therein specified.

(7)(5) Any applicant for a certificate of qualification aggrieved by the action of the school board, may, within ten days after receiving notification of such action, request in writing a reconsideration by the board, of his application, and may submit additional evidence bearing on his qualifications. The board shall thereupon reconsider the application, and may adhere to, modify or reverse its original action. The board shall act upon any request for reconsideration within thirty days after the filing thereof, and shall immediately notify the applicant of the action taken.

(8)(6) No contractor shall be qualified to bid or negotiate when an investigation by the superintendent acting for the school board discloses that such contractor is delinquent on a previously awarded contract by said board, and in such case his certificate of qualification may be suspended or revoked by the school board. The board may suspend, for a specified period of time, or revoke for good cause any certificate of qualification. Any person or firm found delinquent on a contract or whose certificate is revoked or suspended shall be given the same benefit of appeal and reconsideration as provided in the case of an applicant refused an original certificate.

(9)(7) All general laws, population acts or special or local acts authorizing the exercise of power in conflict with the provisions of this section are hereby repealed.

Section 11. Section 235.32, Florida Statutes, 1973, is amended to read:

235.32 Substance of contract; contractors to give bond; penalties.—Upon accepting a satisfactory bid, the school board shall enter into a contract with the party or parties whose bid has been accepted, and such contract shall contain the drawings and specifications of the work to be done or the material to be furnished, the time limit in which the construction is to be completed, the time and method by which payments are to be made upon said contract and the penalty to be paid by the contractor for any failure to comply with the terms of said contract. The contractor shall furnish the school board with a performance bond, issued by a surety company licensed to do business in Florida, for one hundred percent of the contract price. The contractor shall also furnish a payment bond in accordance with §255.05, as a guaranty against the involvement of the school board in actions to obtain payment for materials, supplies or labor used directly or indirectly by contractor or subcontractors. The contractor and the contract shall ~~also comply with be exempt from~~ the requirements of §215.19, relating to the rate of payment for wages of laborers, mechanics and apprentices. Any and all persons, firms or corporations who shall construct any part of any school building or addition thereto on the basis of any unapproved plans or in violation of any plans approved in accordance with the provisions of this chapter and regulations of the ~~office state board~~ relating to school building standards or specifications shall be subject to for-

feiture of his bond and unpaid compensation in an amount sufficient to reimburse the school board for any costs which will need to be incurred in making any changes necessary to assure that all requirements are met, and shall also be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083, for each separate violation.

Section 12. Section 235.41, Florida Statutes, is created to read:

235.41 Requests for funds.—

(1) Each school board shall submit to the department at least one hundred eighty (180) days prior to the convening of the regular session of the legislature, the following:

(a) A long-range plan for educational construction in accordance with the total plan for comprehensive school planning.

(b) An annual plan for educational construction for the fiscal year immediately following the time of submission.

(c) A list of proposed construction projects for the fiscal year and a request for funding.

(d) Any other information as the commission may require pursuant to its rules and regulations.

(2) The office shall present an annual report to the commission on the projected needs of educational facilities construction based upon the information and data reported by the several boards at least one hundred fifty (150) days prior to the convening of the regular session of the legislature. The report shall contain recommendations for funding for educational facilities construction for the fiscal year.

(3) The commissioner shall submit to the state board of education his report on educational facilities construction needs as provided in §236.084.

(4) The state board of education shall submit to the legislature the report on educational facilities construction needs and its request for funds to meet those needs in the fiscal year.

Section 13. Section 235.42, Florida Statutes, is created to read:

235.42 Educational construction and debt service program; allocation of funds.—The state board of education is empowered and directed to receive the funds appropriated by the legislature for the comprehensive educational construction and debt service program and any other funds that are made available for educational construction from any other source whatsoever and to provide for their allocation by the office. Each district's allocation shall be cumulative and the office shall assure that every district is credited with each year's allocation based upon the formula set forth in §236.084.

Section 14. Section 235.43, Florida Statutes, is created to read:

235.43 Organization of certain functions of the department of education.—

(1) The commissioner shall have the discretion to internally organize those functions of the department of education which relate to the construction of educational facilities as he sees fit in order to achieve maximum efficiency; provided, however, that pursuant to such organization the commissioner shall transfer:

(a) The following functions and programs of the division of elementary and secondary education of the department of education from the division to the office:

1. Architectural facilities planning;
2. Educational facilities planning;
3. Facilities development and evaluation;
4. School surveys; and
5. School plant management.

(b) The following functions and programs of the division of vocational, technical, and adult education of the department of education from the division to the office:

1. Vocational-technical facilities planning and development; and

2. Vocational-technical facilities construction.

(c) The functions and programs of the commissioner of education relating to capital outlay and debt service from the commissioner to the office.

(2) All statutory powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds which are part of the above functions and programs of the divisions are hereby transferred to the office. The transfer of segregated funds shall be made in such manner that the relation between program and revenue source as provided by law is retained.

Section 15. Subsection (5) of section 236.013, Florida Statutes, 1973, is amended, and subsection (14) is added to said section to read:

236.013 Definitions.—Notwithstanding the provisions of §228.04, the following terms shall be defined as follows for the purpose of this act:

(5) A "relocatable facility unit" is a school facility designed to be moved to a different site and continued in use as a school facility which has been designed incorporating the following elements:

- (a) Portability;
- (b) Reconstructibility;
- (c) Demountability;
- (d) Durability of components;
- (e) Simplicity of components;
- (f) Flexibility of interior spatial relationships;
- (g) Adaptability to solar energy systems;
- (h) Minimum foundation work;
- (i) Interfaceability with existing, conventional construction; and
- (j) Maximum recoverability of components when the facility is relocated.

(14) The "projected plant need" is the sum of the following estimated factors:

- (a) Construction costs;
- (b) Legal and administrative costs;
- (c) Architectural fees;
- (d) Costs for restoration and correction of deficiencies which produce unsafe, unhealthy, or unsanitary environments;
- (e) Cost of new furniture and equipment for new pupil stations;
- (f) Cost of site improvement; and
- (g) Cost of site acquisition.

Section 16. Subsections (1) and (3) of section 236.084, Florida Statutes, 1973, are amended and subsections (5) and (6) are added to said section to read:

236.084 Funds for comprehensive school construction and debt service.—The annual allocation from the Florida education finance program to each district for the comprehensive school construction and debt service program shall be determined as follows:

(1) Pursuant to regulations of the state board, the commissioner shall determine annually the projected school plant and annual debt service needs for each school district and report this to the legislature. In determining these needs and in making the report the commissioner shall include at least the following elements:

- (a) Projected student membership for the next five-year period.
- (b) Projected number of unhoused students.
- (c) Cost of removing the deficiencies related to health and safety to life standards.

(d) Cost of improving the educational environment in existing school plants.

(e) Current construction cost data as determined by the state board.

(f) Five-year projected cost of amortizing the annual payment of the bonded indebtedness of the district incurred ~~issued~~ prior to the effective date of this act July 1, 1973, and that part of the annual payment of the bonded indebtedness incurred subsequent to July 1, 1973, and which services bond funds which were expended in meeting the projected plant need of the district as determined by the commissioner in accordance with the formula provided in this section and other restrictions upon the allocation of state funds as provided by law.

(g) Cost of site acquisition and improvement.

(h) Amount of additional resources available pursuant to the provisions of §9(d), Art. XII of the state constitution as amended in 1972.

(i) Amount of funds from other sources available to the school board and earmarked for capital outlay purposes. ~~However, these funds shall not include any funds available from tax moneys collected from millage elections in excess of ten mills.~~

(j) District housing index.

(k) Square footage requirements for program grade groups.

(l) Special instructional facilities needed to improve the program at a school center, but not necessarily to increase the student stations of the center.

(m) Amount of funds derived from voted ad valorem taxes in excess of ten mills which were expended for school ~~plants~~ construction projects which would have been funded by the state under provisions of this section during the five years immediately prior to the effective date of this act, the beginning of each fiscal year; provided that, ~~other than~~ those funds utilized for payment on bonded indebtedness shall not be included in the calculations required by this subsection.

(n) Relocatables provided under §8 of this act shall be included in the district inventory of school facilities but shall only be rated at one half (1/2) of actual pupil capacity for purposes of the inventory and future needs determination.

(3) Funds accruing to a district from the provisions of this section shall be expended on needed projects as shown by a survey or surveys in the district under regulations of the state board. The priority of expenditure by districts shall be as follows:

(a) New classrooms and special instructional facilities necessary to provide needed pupil stations at either a new or existing school center in order to alleviate overcrowding and to eliminate multiple daily sessions; school sites or additions to sites and site improvement incident to new construction or to make a site addition useable; restoration and correction of ~~correcting~~ deficiencies required for safety to life, health, and sanitation, which produce an unsafe, unhealthy, or unsanitary environment for occupants of school facilities; provided, however, that, based upon the need as determined by the commissioner in the formula calculations, up to one tenth (1/10) of a district's annual allocation shall be expended on restoration and correction of such deficiencies.

(b) Special instructional and auxiliary facilities needed to improve the program at a school center, but not necessary to increase the pupil stations.

(c) Major alterations to existing buildings which would substantially improve the utility of the space ~~and~~.

(d) Replacement ~~replacement~~ of, or major alterations to, the existing heating, cooling, lighting, ~~safety~~, and sanitary facilities at a permanent school center.

(e)(d) Debt service for district bonds serviced by voted ad valorem taxes.

(5) Funds accruing to a district from the provisions of this section shall only be expended on construction projects that utilize state board approved prototype design criteria as provided by law or that utilize district plans previously approved by the department and used by the district and which conform

to the standards of the uniform building code for school construction and have not been substantially or materially altered since approval was granted by the department.

(6) In the event that a change, correction or recomputation of data during any year, including the 1973-74 fiscal year, results in a reduction or increase of the calculated amount previously allocated to a school district, the allocation to that district shall be adjusted correspondingly.

(a) If such recomputation results in a reduction of the calculated amount, any unencumbered portion of the excess allocation shall be returned to the department for reallocation to eligible districts in the next fiscal year. Any encumbered portion of the excess allocation shall be carried forward and deducted from future entitlements to the district until the excess allocation is returned in total.

(b) If such recomputation results in an increase of the calculated amount, such additional amount shall be added to the allocation to the district from future appropriations.

Section 17. Section 241.70, Florida Statutes, 1973, is hereby repealed.

Section 18. This act shall take effect January 1, 1975.

Senator Graham moved the following amendments to amendment 1 which were adopted:

Amendment 1a—On page 30, line 14, between the “.” and the word “Any” insert: *Notwithstanding any other provision of this section, if 25 percent or more of the costs of any construction project is paid out of a trust fund established pursuant to 31 U.S.C. §1243(a)(1), laborers and mechanics employed by contractors or subcontractors on such construction projects will be paid wages not less than those prevailing on similar construction projects in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended.*

Amendment 1b—On page 38, line 18, strike all of line 18 and insert: Section 18: This act shall take effect July 1, 1974, except that §8 of this act shall take effect October 1, 1974, and §§2, 3, 4, 5, 6 and 14 shall take effect January 1, 1975.

Senators Deeb and Sayler offered the following amendments to amendment 1 which were moved by Senator Deeb and failed:

Amendment 1c—On page 8, strike lines 15 thru 18

Amendment 1d—On page 8, line 8-14, strike subsection 13

The President presiding.

Senator Gillespie moved the following amendment to amendment 1 which failed:

Amendment 1e—On page 19, line 22, insert: The use of solar energy systems shall be used in all construction where such systems have been approved by the Department of Administration

Senator Deeb moved the following amendment to amendment 1:

Amendment 1f—On page 26 and 27, strike all of page 26 and lines 1 thru 5 page 27, renumber the following subsections

Amendment 1f failed by the following vote:

Yeas—10

Deeb	Lane (23rd)	Sims	Weber
Johnston	McClain	Stolzenburg	
Lane (31st)	Sayler	Ware	

Nays—23

Mr. President	Gillespie	Myers	Trask
Barron	Glisson	Pettigrew	Vogt
Brantley	Gordon	Poston	Williams
Childers	Graham	Saunders	Wilson
de la Parte	Gruber	Smathers	Zinkil
Firestone	Lewis	Sykes	

Amendment 1 as amended was adopted.

The Committee on Education offered the following amendment which was moved by Senator Gordon:

Amendment 2—On page 1 through 5, strike the entire title and insert:

A bill to be entitled

An act relating to education; creating §235.001, Florida Statutes, providing legislative intent; creating §235.012, Florida Statutes, creating an office of educational facilities construction under the commissioner of education; creating §235.013, Florida Statutes, providing for interdepartmental cooperation in school construction; creating §235.014, Florida Statutes, providing functions of the office; creating §§235.015 and 235.016, Florida Statutes, providing for an associate commissioner and specifying duties and responsibilities; amending §235.06, Florida Statutes, 1973, empowering and directing the board of education to adopt regulations relating to health and safety standards at school plants; requiring each district school board to adopt certain policies in conformance with the standards; providing for periodic inspection of school plants by each school board to determine compliance with the standards; providing for correction of deficiencies or for closure of the school plant if not corrected; permitting inspection of any school plant by certain state and local agencies; providing standards for inspection by such agencies; permitting the commissioner to order the correction of deficiencies noted by such agencies; amending §235.211, Florida Statutes, 1973, requiring the state board to provide relocatable school facilities, upon request of a school board in immediate need of such facilities and establishing criteria for said facilities; permitting the sale or lease of the facilities when need decreases; requiring the state board to develop prototype design criteria; defining prototype design criteria; providing for annual review and update of said design criteria; authorizing leasing of facilities; providing definitions for construction techniques; requiring conformity to the uniform building code; amending §235.26, Florida Statutes, 1973, empowering the office to prescribe a statewide mandatory and uniform building code for the construction of educational facilities; repealing and prohibiting special acts or general laws of local application not in conformance with the code; prohibiting construction not in conformance with the code; requiring each school board and the office to enforce the code; requiring each district superintendent to submit specified information to the office for approval; providing for certain factors to be taken into consideration by the office; providing that the state board of education is the final board of appeals; requiring the office to annually review the code; providing for assistance by the department of community affairs for the construction of fallout shelters; amending §235.31, Florida Statutes, 1973, to authorize school boards to negotiate with contractors to remodel, etc., existing school buildings when bidding would be difficult; placing in the office certain duties of the state board of education and the department of education relating to the advertising and awarding of contracts; amending §235.32 Florida Statutes, 1973, deleting the requirement that school plant construction contractors comply with the requirements of §215.19, Florida Statutes, relating to the rate of payment of wages for certain employees and exempting school plant construction contracts from such requirements; creating §235.41, Florida Statutes, providing a procedure for the request of funds of the department of education by each school board; creating §235.42, Florida Statutes, empowering the state board of education to accept legislative appropriations; creating §235.43, Florida Statutes, providing for transfer by the commissioner of certain functions and programs relating to educational facilities construction from the division of elementary and secondary education and the division of vocational technical and adult education of the department of education and of the commissioner of education to the office; amending §236.013 (5), Florida Statutes, 1973, and adding a subsection; rede-

fining "relocatable facility" and defining "projected plant need"; amending §236.084(1) and (3), Florida Statutes, 1973, and adding subsections (5) and (6), requiring the commissioner of education, in determining annual debt service needs of each school district, to include the projected cost of amortizing certain annual payments of bonded indebtedness; deleting the exemption given certain tax moneys from inclusion in available district capital outlay funds for purposes of the office's determination of district needs; requiring the office to include in such determination the amount of certain funds expended for school construction during the five (5) years immediately prior to each fiscal year except funds used for payment of bonded indebtedness; providing a procedure for including relocatable educational facilities in the inventory of a district; providing that the alleviation of overcrowding and elimination of multiple daily sessions be given first priority in the expenditure by a district of funds for school construction; providing for a certain part of the capital outlay allocation to be expended on the correction of safety and health deficiencies; providing for certain limits on the expenditure of state funds; providing a procedure for adjustment of allocations for school construction to each district; repealing §241.70, Florida Statutes, 1973, providing for school construction research projects by the department of education in conjunction with the University of Florida; providing an effective date.

Senator Graham moved the following amendment to Amendment 2 which was adopted:

Amendment 2a—On page 3, line 14, between the ";" and the word "creating" insert: providing for compliance with the federal Davis-Bacon Act under certain circumstances;

Amendment 2 as amended was adopted.

On motion by Senator Gordon, by two-thirds vote CS for HB 4026 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Graham	Myers	Vogt
Barron	Gruber	Pettigrew	Ware
Brantley	Johnson	Poston	Williams
Childers	Johnston	Saunders	Winn
de la Parte	Lane (31st)	Sims	Zinkil
Firestone	Lane (23rd)	Smathers	
Glisson	Lewis	Sykes	
Gordon	McClain	Trask	

Nays—5

Deeb	Sayler	Stolzenburg	Weber
Glisson			

By unanimous consent Senator Wilson was recorded as voting yea.

On motion by Senator Barron, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 30, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 2 and 4 to:

By the Committee on Appropriations and Representative L. McDonald and others—

CS for CS for HB 3418—A bill to be entitled An act relating to public officers and employees and candidates for public office; amending §§112.311, 112.312, 112.313, 112.314, 112.316, and 112.317, Florida Statutes, 1973, and creating §§112.3145 and 112.3155, Florida Statutes, providing legislative intent; providing definitions; establishing standards of conduct for public officers and employees, candidates, advisory board members, legislators and legislative employees, and judicial officers; requiring disclosure of financial interests by source and percentage by public

officers and candidates; including spouse and minor child within the definition of public officer for purposes of financial disclosure; including in the requirement to disclose total compensation received, all persons doing consulting work with an agency; providing for forms and procedures for such disclosures; providing for construction of part III of chapter 112, Florida Statutes; providing enforcement; repealing §112.318, Florida Statutes, 1973, relating to procedures on complaints of violation of part III of chapter 112, Florida Statutes; providing an effective date.

—and requests the Senate to recede and in the event the Senate refuses to recede requests a Conference Committee.

Allen Morris, Clerk

Amendment 2—On page 1, line 29, strike everything after the enacting clause through the remainder of the bill and insert: Section 1. Section 112.311, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section.
See sec. 112.311, F.S. for present text)

112.311 Legislative intent and declaration of policy.—

(1) It is essential to the proper conduct and operation of government that public officials be independent and impartial; that public office not be used for private gain other than remuneration provided by law. The public interest, therefore, requires that the law protect against any conflict of interest and establish standards for the conduct of elected officials and government employees in situations where conflicts may exist.

(2) It is also essential that government attract those citizens best qualified to serve. Thus, the law against conflict of interest must be designed as to not unreasonably or unnecessarily impede the recruitment and retention by government of those best qualified to serve. Public officials should not be denied the opportunity, available to all other citizens, to acquire and retain private economic interests except where conflicts with the responsibility of such officials to the public cannot be avoided.

(3) It is likewise essential that the people be free to seek redress of their grievances and express their opinions to all government officials on current issues, and past or pending legislative and executive actions, at every level of government. In order to preserve and maintain the integrity of the governmental process, it is necessary that the identity, expenditures and activities of those persons who regularly engage in efforts to persuade public officials to take specific actions, either by direct communication with such officials or by solicitation of others to engage in such efforts; be regularly disclosed to the people.

(4) It is the intent of this act to implement these objectives of protecting the integrity of government and of facilitating the recruitment and retention of qualified personnel by prescribing restrictions against conflicts of interest without creating unnecessary barriers to public service.

(5) It is hereby declared to be the policy of the State of Florida that no officer or employee of a state agency or of a county, city or other political subdivision of the state, and no member of the legislature or legislative employee, shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction, or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest. To implement this policy and strengthen the faith and confidence of the people of the state in their government, there is enacted a code of ethics setting forth standards of conduct required of state, county and city officers and employees, and of officers and employees of other political subdivisions of the state, in the performance of their official duties. It is the intent of the legislature that this code shall serve not only as a guide for official conduct of public servants in this state, but also as a basis for discipline of those who violate the provisions of part III of chapter 112.

Section 2. Section 112.312, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section.
See sec. 112.312, F.S. for present text.)

112.312 Definitions.—As used in this part, unless the context otherwise requires:

(1) “Agency” means any state, county, local or municipal governmental entity, whether executive, judicial, or legislative, and therein any department, division, bureau, commission, authority, or special taxing district with authority to exercise the sovereign power of the state.

(2) “Business entity” means any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in the state of Florida.

(3) “Candidate” means any person who has filed his qualification papers and subscribed to the candidate oath as required by section 99.021, or seeks by election to become a public officer excluding committeemen regulated by Chapter 103, Florida Statutes.

(4) “Disclosure period” means the period extending from January 1 through December 31 immediately preceding the date on which the financial disclosure statement required by this part is required to be filed.

(5) “Material interest”, for the purposes of this act, means direct or indirect ownership of ten percent or more of the total assets or capital stock of any business entity.

(6) “Person or business entities provided a grant of privilege to operate” includes state or federal chartered banks, state and federal savings and loan associations, cemetery companies, insurance companies, mortgage companies, credit unions, small loan companies, alcoholic and spirituous liquor businesses, whether retail or wholesale, pari-mutuel wagering companies, utility companies, and any entity controlled by the public service commission or granted a franchise to operate by either a city or county government. This definition shall not apply to persons and entities so categorized merely for purposes of public notices or to certify the quality of professional or occupational services.

(7) “Public officer” or “officer” includes:

(a) All elected public officers, congressional, executive, judicial, legislative, state, county, municipal or local.

(b) Members of boards, commissions, authorities, special taxing districts, and the head of each state agency, however selected but excluding advisory board members as herein defined.

(c) Referees, receivers and hearing examiners appointed by any agency, and judges of industrial claims.

(d) Members of the board of regents, the chancellor on the university system and the presidents of state universities, and presidents and members of boards of trustees of community colleges.

(e) Any person employed in the office of the governor or in the office of any member of the cabinet who is exempt from the career service system, except persons employed in clerical, secretarial or similar positions.

(f) The appointed secretaries, assistant secretaries, deputy secretaries, executive directors, assistant executive directors, and deputy executive directors of all state departments and, unless otherwise provided, the division directors and bureau chiefs of all departments of state government.

(g) The institute director of the mental health institutes authorized for Tampa and Miami for training and research in the mental health field.

(h) All full time state employees who, in addition to their regular duties, accept compensation for consultations with other state agencies or with other government or private entities.

(i) All sheriffs, tax collectors, tax assessors, supervisors of elections, clerks of the circuit court, chiefs of police, county managers, county administrators, county attorneys, assistant state attorneys, city managers, city attorneys, district school superintendents and appointed heads of city and county planning and zoning boards, city and county building inspectors,

members of school boards, members of planning boards, members of zoning boards, and members of planning and zoning boards, or any boards having jurisdiction with respect thereto.

(j) Purchasing agents for any agency or persons having the power normally conferred to purchasing agents by whatever title.

Section 3. Section 112.313, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section. See sec. 112.313, F.S. for present text)

112.313 Standards of conduct for public officers and employees of agencies.—

(1) No officer or employee of a state agency, or of a county, city or other political subdivision of the state, or any legislator, or legislative employee shall accept any gift, favor, or service, in excess of \$25.00 value to the recipient, that would cause a reasonably prudent person to be influenced in the discharge of official duties.

(2) Conflicts Prohibited.—No public officer or employee of an agency shall own a material interest in any business entity doing business with the agency of which he is an officer or employee, except in those cases when the business is contracted with full public competition and award is made to the lowest or best bidder or to a consultant in accordance with Chapter 287.055, Florida Statutes.

(3) Disclosure of Conflicts.—If a public officer or employee of an agency is an officer, director, partner, proprietor, associate or general agent (other than a resident agent solely for service of process) of, or owns a material interest in, any business entity which is granted a privilege to operate, or is doing business with, an agency of which he is an officer or employee, he shall file a statement disclosing such facts within forty-five days of becoming an officer or employee or within forty-five (45) days of the acquisition of such position or of such material interest. The statement shall give the name, address and principal business activity of the business entity and shall state the position held or the fact that a material interest is owned, and the nature of said interest. A candidate for nomination to or election for any office shall file a like statement no later than noon on the tenth day after the last day to qualify. The statement shall be filed with the department of state if the individual is a state officer, employee or candidate, and shall be filed with the clerk of the circuit court of the county in which he is principally employed or a resident if he is an officer, employee or candidate for election within a county, municipality or other political subdivision of the state.

(4) No public officer or employee of an agency shall corruptly use or attempt to use his official position or perform his official duties to secure special privileges, benefits or exemptions for himself, or others.

(5) Other Employment.—No public officer or employee of an agency shall accept other employment with any business entity subject to the regulation of, or doing business with, an agency of which he is an officer or employee, nor shall an officer or employee of an agency accept other employment that will create a conflict between his private interests and the performance of his public duties, or will impede the full and faithful discharge of his public duties. Where the agency referred to is a legislative body and where regulatory power over the business entity resides in another agency, then employment with such business entity by a public officer or employee of a legislative body shall not be prohibited by this subsection or deemed a conflict.

(6) Disclosure or Use of Information.—No public officer or employee of an agency shall disclose information gained by reason of his official position for his personal gain or benefit, or personal gain or benefit for any other person.

Section 4. Section 112.314, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section. See sec. 112.314, F.S. for present text)

112.314 Additional Standards of Conduct for Legislators and Legislative Employees.—

(1) No full-time legislative employee shall be otherwise employed, except with the written permission of the presiding officer of the house by which he is employed, filed with the clerk of the house of representatives or secretary of the senate, as may be appropriate. Employees of joint committees must have the permission of the presiding officers of both houses.

(2) No public officer shall be prohibited from voting on any matter in his official capacity. However, when the matter being considered directly or indirectly inures to the public officer's particular private gain, as opposed to his private gain as a member of a special class or creates a substantial conflict between such officer's private interests and his public duties he may abstain from voting on the matter and shall file a statement explaining the conflict with the appropriate officials.

Section 5. Section 112.3145, Florida Statutes, is created to read:

112.3145 Disclosure.—

A candidate for nomination or election shall file a statement of disclosure no later than twelve o'clock noon on the tenth day after the last day to qualify as a candidate. A public officer, including persons appointed or elected to serve the unexpired term of any public officer, shall file a statement of disclosure no later than twelve o'clock noon of May 15th of each year, including the May 15th following the last year a public officer is in office. Every public officer who is appointed shall file a disclosure statement, as required herein, within thirty (30) days from the date of appointment. Disclosure shall be filed with the secretary of state or the clerk of the circuit court as provided in section 112.313(3). The statement of disclosure shall include the following:

(a) Sources of income. The public officer or candidate shall disclose any sources of his net income, which total in excess of 10% of his total net income, by stating generally the nature of the business or interest providing such net income. The largest source shall be listed first and the remainder in descending order. Income from governmental salary, dividends, interest, alimony, pensions, or disability payments shall not be included in the list.

(b) Each public officer or candidate shall disclose any interest in excess of ten percent which he holds in any chartered banks, savings and loan associations, small loan companies, alcohol and spirituous liquor business, whether retail or wholesale, pari-mutuel wagering companies, utility companies, cemetery companies, insurance companies, mortgage or title insurance companies, credit unions and any entity controlled by the public service commission or granted a franchise to operate by a municipal or county government, or any other interest which such public official should reasonably believe may present a potential conflict of interest.

(c) Representation before agencies. Any public officer or candidate who represents another before his own agency or any agency at the same level of government as his own agency, except in ministerial matters, for a fee or commission shall list the agencies before which he appears, and the name of the client whom he represented, in the annual report subsequent to such appearance. Representation before any agency shall be deemed to include representation by such public officer or candidate, or any partner or associate of the professional firm of which he is a member and of which he has knowledge. For the purposes of this subsection, "representation before any agency" does not include appearances before any court, or appearances before judges or commissioners of industrial claims. This provision shall not include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license or operation permit to engage in a profession or business or occupation, provided it does not require substantial discretion, a variance, special consideration, a certificate of need and convenience, a license based on a quota or a franchise, of such agency.

Section 6. Section 112.3146, Florida Statutes, 1973, is created to read:

112.3146 Public Records.—The statements required by sections 112.313, 112.314 and 112.3145 shall be public record within the meaning of section 119.01, Florida Statutes.

Section 7. Section 112.317, Florida Statutes, 1973, is amended to read:

(Substantial rewording of section.
See sec. 112.317, F.S. for present text.)

112.317 Penalty.—Intentional violation of any provision of this part by an officer or employee shall constitute grounds for dismissal from employment or removal from office, or other penalty as provided by law, and shall constitute a misdemeanor and, upon conviction, shall be punishable by a fine not exceeding one thousand dollars or imprisonment not exceeding one year.

Section 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 10. This act shall take effect on July 1, 1974.

Amendment 4—On page 1, line 3, strike the entire title of the bill and insert: A bill to be entitled an act relating to financial disclosure required of public officers and employees; amending section 112.311, Florida Statutes, to provide legislative intent; amending section 112.312, Florida Statutes, providing definitions; amending section 112.313, Florida Statutes, providing standards of conduct; amending section 112.314, Florida Statutes, providing additional standards for legislators and legislative employees; creating section 112.3145, Florida Statutes, requiring disclosure of specified financial interests; creating section 112.346, Florida Statutes, providing that statements required by the act are public records; providing penalties; providing severability; providing an effective date.

On motions by Senator Barron the Senate refused to recede from Senate Amendments 2 and 4 to CS for CS for HB 3418 and again requested the House to concur. The action of the Senate was certified to the House.

The Honorable Mallory E. Horne, President **May 29, 1974**

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 3692 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations and Representative Sessums and others—

CS for HB 3692—A bill to be entitled An act relating to the Florida education finance program; amending §236.02(6), Florida Statutes, as amended by chapter 73-345, Laws of Florida; providing a procedure for determining the minimum required local effort; amending §236.081(1)(b), (2), (3), (4), (5), (6) and (7), Florida Statutes, as created by chapter 73-345, Laws of Florida; fixing the base student cost for 1974-1975; providing a procedure for computation of the compensatory education supplemental cost factor; deleting provision for supplemental ad valorem tax equalization; adjusting the district cost of living factors; providing a procedure for computing district required local effort; providing for proration of current operation funds; providing a guaranteed minimum level of funding for 1974-1975; providing for the following transitional categorical programs: career education program, student enrichment and remedial program, secondary school counselors program, and developmental reading and language arts program; amending §236.083 (2) (a) and (7), Florida Statutes, as created by chapter 73-345, Laws of Florida; amending route mileage calculation and providing for proration of transportation funds; amending §236.087 (1)(d) and (2), Florida Statutes, as created by chapter 73-345, Laws of Florida; deleting the allocation for tax loss resulting from additional homestead exemptions; deleting the requirement for factoring the base student cost; amending §236.25(1), Florida Statutes; providing a limit on authorized district millage levies; amending §237.071(3), Florida Statutes; providing for budgeting of required local effort; amending §237.34 (3), Florida Statutes, as created by chapter 73-345, Laws of Florida, amending cost reporting procedures; repealing §196.031(4), Florida Statutes; deleting the allocation for tax loss resulting from additional homestead exemptions; amending the introductory paragraph and subparagraph 2.e. of paragraph (c)

of subsection (1) of §236.081, Florida Statutes; amending cost factors; establishing procedure for allocating career education funds; establishing procedure for allocating secondary school counselor funds; amending §236.086, Florida Statutes; amending procedure for allocating elementary school counselor funds; establishing procedure for allocating student enrichment and remedial program funds; amending §232.255 (3), Florida Statutes; amending procedure for allocating school safety fund; amending §229.802, Florida Statutes; amending accreditation procedures; amending §236.013(3)(a) 2 and (3) (c) 2 a and d and adding a new e; amending definition of full-time equivalent student; amending §236.084, adding a new (5); providing for adjustment in allocation of funds for comprehensive school construction and debt service; providing an effective date.

—was read the first time by title and placed on the Calendar.

On motion by Senator Graham, unanimous consent was obtained to take up CS for HB 3692 out of order.

On motion by Senator Graham, by two-thirds vote CS for HB 3692 was read the second time by title.

Senator Graham moved the following amendment which was adopted:

Amendment 1—On page 3, line 3, strike everything after the enacting clause and insert: Section 1. Items a. and d. are amended, and item e. is added to subparagraph 2. of paragraph (c) of subsection (3), and a new subsection (14) is added to §236.013, Florida Statutes, as created by chapter 73-345, Laws of Florida, to read:

236.013 Definitions.—Notwithstanding the provisions of §228.04, the following terms shall be defined as follows for the purpose of this act:

(3) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c) A "full-time equivalent student" is:

2. A combination of full-time or part-time students in any one of the programs listed under the cost factors in §236.081(1) (c) which is the equivalent of one full-time student based on the following calculations;

a. A full-time student, *except post-secondary and adult*, in a combination of programs listed under the cost factors in §236.081(1) (c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per week for which he is a member, divided by twenty-five; the difference between that fraction or sum of fractions and twenty-five twenty-fifths of the week for each full-time student shall be presumed to be the balance of the student's time not spent in said special education programs and shall be recorded as time in the appropriate basic program.

d. A part-time student, *except post secondary and adult*, shall be a fraction of full-time equivalent membership in each basic and special program equal to the number of net hours or major fraction thereof per week for which he is a member divided by twenty-five; ~~or~~

c. All *post-secondary and adult students shall be a portion of a full-time equivalent membership in each special program equal to the net hours or major fraction thereof per fiscal year for which he is a member divided by nine hundred (900); or*

(14) *The Florida education finance program includes all programs and costs as provided in Section 236.081, Florida Statutes.*

Section 2. Subsection (6) of §236.02, Florida Statutes, as amended by chapter 73-345, Laws of Florida, is amended to read:

236.02 Minimum requirements of the Florida education finance program.—Each district which participates in the state appropriations for the Florida education finance program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

(6) **MINIMUM FINANCIAL EFFORT REQUIRED.**—Make the minimum financial effort required for the support of the minimum foundation Florida education finance program as prescribed by law.

Section 3. Paragraph (b) of subsection (1), the introductory paragraph of paragraph (c) of subsection (1), item e. of subparagraph 2. of paragraph (c) of subsection (1) and subsections (2), (3), (4), (5), (6), and (7) of §236.081, Florida Statutes, as created by chapter 73-345, Laws of Florida, are amended to read:

236.081 Funds for current operation of schools.—The annual allocation from the Florida education finance program to each district for current operation of schools shall be determined as follows:

(1) **COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR CURRENT OPERATION.**—The following procedure shall be followed in determining the annual allocation to each district for current operation:

(b) **Determination of base student cost.**—The base student cost shall be determined annually by the legislature. For the 1974-1975 school fiscal year the base student cost is fixed at seven hundred forty-five dollars (\$745).

(c) **Determination of programs.**—Cost factors based on desired relative cost differences between the following programs are hereby established. However, the application of cost factors in special programs for exceptional students identified by the roman numeral I shall be limited to a maximum of seven twenty-fifths of a student membership in a given program during a week. The criteria for qualification for the special programs shall be determined by regulations of the state board. Cost factors for special programs for exceptional students shall be used to fund programs approved by the department as provided by law for exceptional students under the minimum age for enrollment in kindergarten will be used to fund programs approved by the department as provided by law.

2. Special programs for exceptional students.—

e. Speech and Hearing Therapy I _____ 10.00

(2) **COMPUTATION OF COMPENSATORY EDUCATION SUPPLEMENTAL COST FACTOR.**—Beginning with the 1975-76 fiscal year a supplement to the base student cost shall be added to all full-time equivalent students in the basic programs qualifying for compensatory education in accordance with criteria, including low achievement test scores, and socioeconomic level, and low standard English comprehension level, established by regulations of the state board. Such regulations shall be designed to maintain consistency with applicable federal law and regulations so as to prevent impairment, interruption, or loss of any federal funds allocated to the state for compensatory education of public school students. For the 1973-1974 fiscal year, a supplement of five hundredths multiplied by the base student cost for one full time equivalent student shall be earned for each qualifying student in grades kindergarten through twelve. The department of education shall, after taking into consideration all funds available from all sources, annually recommend to the legislature an amount sufficient to carry out the purposes of this program. The legislature shall annually fix such supplement on a full-time equivalent student basis.

(3) **COMPUTATION OF AD VALOREM TAX EQUALIZATION.** For the 1973-74 fiscal year, each district in which the yield of each mill of tax for current operation purposes levied in the preceding year, at 95 percent of 100 percent of the nonexempt assessed valuation excluding additional homestead exemptions as authorized by chapter 71-300, Laws of Florida, based on the 1973 calendar year nonexempt assessed valuation excluding the additional homestead exemptions as authorized by chapter 71-300, Laws of Florida, divided by the full time equivalent student membership of said district, is less than 7 percent of the base student cost shall be entitled to an amount equal to the difference between the yield for each full time equivalent student of each mill or fraction thereof levied at or in excess of eight mills, but not over ten mills, and 7 percent of the base student cost. For each fiscal year thereafter, such computation shall be as above except computed on 8 percent of the base student cost and on the previous year's nonexempt assessed valuation excluding additional homestead exemptions as authorized by chapter 71-300, Laws of Florida.

(4)(3) **DETERMINATION OF COST OF LIVING FACTORS DISTRICT COST DIFFERENTIALS.**—The cost of living factors district cost differentials shall be determined by the legislature. The state board shall annually recommend to the legislature, based upon the most recent study by the department of administration, a list of districts and factors. For the 1973-74 1974-75 fiscal year, and every year thereafter until amended, the cost of living district cost differential factors listed below shall be altered as follows: the factor of 1.10 shall be 1.00; the factor of 1.07 shall be 1.063; the factor of 1.00 shall remain 1.00; the factors of .06 shall be .064; and the factor of .00 shall be .01.

District Cost Differential Cost-of-living

District	Factor
(a) Dade	1.10
(b) Broward	1.07
(c) Palm Beach	1.07
(d) Alachua	1.00
(e) Collier	1.00
(f) Duval	1.00
(g) Leon	1.00
(h) Monroe	1.00
(i) Orange	1.00
(j) Pinellas	1.00
(k) Sarasota	1.00
(l) Bay	.06
(m) Brevard	.06
(n) Clay	.06
(o) Escambia	.06
(p) Hillsborough	.06
(q) Okaloosa	.06
(r) Polk	.06
(s) St. Johns	.06
(t) Santa Rosa	.06
(u) Seminole	.06
(v) Volusia	.06
(w) All other districts	.00
Alachua	0.078
Baker	0.950
Bay	0.946
Bradford	0.941
Brevard	0.975
Broward	1.045
Calhoun	0.883
Charlotte	1.002
Citrus	0.943
Clay	0.981
Collier	1.052
Columbia	0.948
Dade	1.085
DeSoto	0.941
Dixie	0.937
Duval	0.975
Escambia	0.938
Flagler	0.931
Franklin	0.922
Gadsden	0.906
Gilchrist	0.943
Glades	0.969
Gulf	0.915
Hamilton	0.901
Hardee	0.923
Hendry	0.991
Hernando	0.935
Highlands	0.933
Hillsborough	0.962
Holmes	0.893
Indian River	0.992
Jackson	0.896
Jefferson	0.922
Lafayette	0.900
Lake	0.955
Lee	0.999
Leon	0.994
Levy	0.928
Liberty	0.910
Madison	0.919
Manatee	0.989
Marion	0.974
Martin	1.007
Monroe	1.037

District	Factor
Nassau	0.937
Okaloosa	0.952
Okeechobee	0.995
Orange	0.953
Osceola	0.940
Palm Beach	1.045
Pasco	0.933
Pinellas	0.989
Polk	0.945
Putnam	0.948
St. Johns	0.948
St. Lucie	1.012
Santa Rosa	0.936
Sarasota	1.007
Seminole	0.953
Sumter	0.949
Suwannee	0.934
Taylor	0.932
Union	0.932
Volusia	0.980
Wakulla	0.957
Walton	0.902
Washington	0.887

For subsequent years the above factors shall apply, unless modified by the legislature.

(4) Of the amount computed in subsections (1) and (3) above, five dollars (\$5) per full-time equivalent student shall be expended as provided in §236.0811.

(5) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The amount that each district shall provide toward the cost of the Florida education finance program shall be calculated as follows:

(a) For the 1973-74 fiscal year, the aggregate required local effort for all districts shall be three hundred twenty-four million dollars, and of this amount each district's required local effort shall be computed as follows:—

1. Determine separately for each district and for all districts collectively the value of nonexempt assessed valuations, excluding the total value of additional homestead exemptions authorized in chapter 71-300, Laws of Florida, as shown on the 1973 calendar year tax roll.

2. Determine for each district that district's percentage of the state total computed in subparagraph 1.

(3) Multiply the aggregate required local effort as set forth in this paragraph by each district's percentage as determined in subparagraph 2, and the product shall be the individual district's required local effort for the 1973-74 fiscal year.

(a) For the 1974-75 fiscal year, on or before July 25, the department of revenue shall, based upon the latest available data, certify to the department of education its latest estimate of the current total state-wide non-exempt assessed valuation for school purposes. No later than August 1, the department of education shall compute the millage rate which, when applied to ninety-five percent (95%) of said estimate, would generate an amount equal to \$479,000,000. The millage so determined shall be certified by the department to each school district, and such millage rate shall represent the required local effort for each district. For 1975-76, and each year thereafter, the district required local effort shall be determined by the legislature provided, however, this amount shall not exceed eight (8) mills of tax on ninety-five percent (95%) of the non-exempt assessed valuation for school purposes included in the preceding calendar year tax roll as certified or deemed acceptable by the department of revenue.

(b) Beginning with the 1974-1975 fiscal year and every year thereafter, the required local effort shall be seven mills of tax levied on 95 percent of 100 percent of the nonexempt valuation of that district, excluding additional homestead exemptions as authorized by Chapter 71-300, Laws of Florida, for the preceding calendar year as certified or deemed acceptable by the department of revenue. In those instances in which there is litigation attacking the authority of the assessor to include certain property on the tax assessment roll as taxable property, and the tax collector has been directed by the court not to collect taxes on such property, or has been directed

not to disburse to the tax levying authorities such taxes, and the assessed value of the property in contest involves more than ten percent (10%) of the total non-exempt assessment roll, then ninety-five percent (95%) of the assessed value of the property in contest shall be excluded for purposes of computing the district required local effort.

(c) Following final adjudication of any litigation, upon which adjustments in non-exempt valuations have been based as prescribed herein, the department shall re-compute the required local effort for each district for each year affected by such adjustments, utilizing non-exempt valuations approved by the court, and shall adjust subsequent allocations to such districts accordingly.

(4)(6) CATEGORICAL PROGRAMS.—The legislature hereby provides for the establishment of selected categorical programs to assist in the development and maintenance of activities giving indirect support to the programs previously funded. These categorical appropriations may be funded as general and transitional categorical programs. It is the intent of the legislature that no transitional categorical program shall be funded for more than four (4) fiscal years from the date of original authorization or the effective date of this act from July 1, 1973, whichever is last later. Such programs are as follows:

(a) General.—

1. Capital outlay Comprehensive school construction and debt service as provided by law.

2. Community schools as provided by law.

3. Educational leadership training act programs as provided by law.

4. School lunch programs for the needy as provided by law.

5. Textbooks Instructional material funds as provided by law.

6. Vocational improvement fund as provided by law.

7. Student transportation as provided by law.

(b) Transitional.—

1. Bilingual program as provided by law.

2. Driver education as provided by law.

3. Elementary school counselors as provided by law.

4. Occupational specialists and placement specialists as provided by law.

5. Safe schools program as provided by law.

6. Comprehensive health education as provided by law.

7. Exceptional child support services as provided by law.

8. Severely and profoundly retarded as provided by law.

(4)(7) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation shall be distributed periodically in the manner prescribed by regulations of the state board and shall be determined calculated as follows:

(a) Obtain the sum of:—

1.(a) The basic amount for current operation as determined in subsection (1) plus the amount for compensatory education supplemental cost as determined in subsection (2), multiplied by a cost-of-living the district cost differential factor as determined in subsection (4)(3), less the required local effort as determined in subsection (5), plus the amount for the categorical programs for transportation, elementary counselors, and occupational specialists and placement specialists, as established in subsection (6); provided, however, if the funds appropriated for the purpose of implementing this subsection are not sufficient to pay the requirements in full, the department of education shall prorate the available funds on a percentage basis; provided further that if the funds appropriated for the purpose of implementing this subsection exceed the amount necessary to pay the requirements in full, the excess appropriation shall be transferred to and become a part of the appropriation for the comprehensive school construction and debt service program and shall be allocated by the department in the manner

prescribed by section 236.084; provided, further, that the amount to be transferred shall not exceed the difference between the dollar value of the required local effort as set forth herein and the actual final computed required effort as generated by the millage required to participate in the program.

2. Any entitlement to ad valorem tax equalization funds as determined in subsection (3).

(b) The amount thus obtained shall represent the net annual state allocation to each district; however, notwithstanding any of the provisions herein, each district shall be guaranteed a minimum level of funding for the 1973-1974 1974-1975 fiscal year in the amount and manner prescribed below:

1. The department shall determine the average unit value per full-time equivalent student for the 1972-73 1973-1974 fiscal year for each district as follows: divide the total number of instruction units full-time equivalent students included in the 1972-1973 1973-1974 Florida minimum foundation education finance program into the sum of: the actual cost of the state's share of the Florida minimum foundation program for instructional salaries, current expense, and transportation, plus the calculated amount from a ten mill tax levy which could have been collected on 95 percent of 100 percent of the 1972 calendar year nonexempt assessed valuation of the district, excluding additional homestead exemptions as authorized by chapter 71-309, Laws of Florida.

a. The 1973-74 state allocation for: current operation, as provided in §236.081(6)(a) and (b), Florida Statutes, 1973; student transportation, as provided in §236.083(7), Florida Statutes, 1973; elementary school counselors, as provided in §236.086, Florida Statutes; occupational specialists, as provided in §236.085, Florida Statutes; tax loss resulting from the additional homestead exemptions, as provided in §196.031 (4), Florida Statutes, and

b. the calculated yield of the actual non-voted millage levied by the district during the 1973-74 fiscal year on ninety-five percent (95%) of the 1973 calendar year non-exempt assessed valuation of the district for school purposes, as determined pursuant to the provisions of chapter 74-14, Laws of Florida.

2. The average unit value per full-time equivalent student determined in subparagraph 1. shall be increased by 5 3.2 percent (3.2%).

3. The amount determined in subparagraph 2. shall be multiplied by the number of instruction units that would have accrued in a 1973-1974 Florida minimum foundation program full-time equivalent students included in the final estimated computation of the 74-75 Florida education finance program.

4. The amount determined in subparagraph 3. shall be the minimum level of funding for each district for the 1973-1974 1974-75 fiscal year. Such amount shall include the following: the state's share of the Florida education finance program, excluding school construction and debt service funds, excluding the amount allocated from the state to replace the district school tax loss resulting from the additional homestead exemptions provided in chapter 71-309, Laws of Florida, plus the calculated amount from a ten mill tax levied on 95 percent of 100 percent of the 1973 calendar year nonexempt assessed valuation of the district, excluding additional homestead exemptions by chapter 71-309, Laws of Florida.

a. The state allocation for: current operation, as provided in paragraph (a) of this subsection, exclusive of all categorical programs with the exception of student transportation, elementary school counselors, and occupational specialists and placement specialists; and

b. The required local effort for current operation as provided in subsection (5) of this section.

5. In any district in which the amount determined in subparagraph 3. does not equal or exceed the sources specified in subparagraph 4. the state share of this total shall be increased in an amount sufficient to assure that each district receives the amount determined in subparagraph 3.

(c) The maximum amount of Florida education finance program funds for current operation for all districts for special programs shall not exceed the dollar amount required to fund these programs as included in each of the district's educational plans for special programs submitted to the department,

and as included in the annual legislative budget, however, the department is authorized to reallocate funds among districts when they are relinquished by the district to which originally allocated. The method for determining the dollar amount for reallocated funds shall be prescribed by regulation of the state board. For the 1973-1974 fiscal year the maximum amount of Florida education finance program funds for current operations for all districts for special programs for exceptional students shall not exceed eighty-five million five hundred six thousand five hundred dollars, and for students in special vocational technical programs and special adult general education programs shall not exceed one hundred fifty-four million four hundred thirty-nine thousand five hundred dollars. The department is authorized and directed to review all district programs in the areas of exceptional student programs and vocational education and give first priority in the assignment of full-time equivalent student membership to those districts that provide the lowest incident of programs to students identified to be in need of such special programs.

1. For the fiscal year 1974-75 the state total full-time equivalent student membership multiplied by the appropriate cost factors shall not exceed the following maximums:

a. One hundred fifty-two thousand four hundred nine (152,409) for all cost categories in special programs for exceptional students;

b. Three hundred five thousand eight hundred thirty-five (305,835) for all categories in vocational-technical and special adult general education programs.

2. In administering the maximums the department shall review each district's program and needs with each scheduled student membership survey and reassign the authorized weighted membership within the maximums provided herein. In any district in which, after the final assignment, the actual full-time equivalent membership multiplied by the appropriate cost factors exceed the assigned maximum, such excess full-time equivalent student membership shall be computed as a part of that district's basic program cost category for grades four through ten (4-10), at a cost factor of 1.00.

Section 4. Section 236.083, Florida Statutes, as created by Chapter 73-345, Laws of Florida, is renumbered as §236.12, Florida Statutes, and the introductory paragraph, paragraph (a) of subsection (2), and subsection (7) are amended to read:

236.083 236.12 Funds for student transportation.—The annual allocation from the Florida education finance program to each district for transportation to the public schools of students in kindergarten through grades twelve (12) and exceptional students shall be determined as follows:

(2) Subject to the regulation of the state board, each district shall determine and report the one-way route mileage required to transport students to school for the first time on any school day and the one-way miles on routes between school centers required to transport students to school for the first time on any school day and the one-way miles on routes between school centers required to transport exceptional students and vocational students to centers where appropriate programs are provided. The one-way route mileage shall be computed by adding:

(a) The loaded miles of each school bus route one way designated in accordance with §234.061 and served by a bus as defined by regulations of the state board, except that miles traveled for a side route to pick up students living within one and one-half miles of the main trunk route and miles traveled to transport students to evening schools and enrichment programs shall not be added; and

(7) The total allocation to each district for transportation of students shall be the sum of the amounts determined in subsections (4), (5) and (6); provided, however, if the funds appropriated for the purpose of implementing this section are not sufficient to pay the requirements in full, the department of education shall prorate the available funds on a percentage basis.

Section 5. Section 236.085, Florida Statutes, as created by chapter 73-345, Laws of Florida, is amended to read:

236.085 Allocation for occupational specialists and placement specialists.—The department is authorized to allocate an

amount as prescribed annually by the legislature to each district for employment of occupational specialist and placement specialists in the same ratio as the full-time equivalent student membership in vocational programs to the full-time equivalent student membership of vocational programs of the state for the prior year, in accordance with regulations prescribed by the state board.

Section 6. Section 236.086, Florida Statutes, as created by chapter 73-345, Laws of Florida, is amended to read:

236.086 Allocation for elementary school counselors.—The department is authorized to allocate an amount as prescribed annually by the legislature for elementary school counselors to the districts in the same ratio as the full-time equivalent student membership of the district to the full-time equivalent student membership of the state for the prior year in grades kindergarten through six, for the employment of ~~certified~~ *qualified* elementary school counselors, ~~except that this calculation shall, for 1973-74 fiscal year, be based on average daily attendance from the 1972-73 school year in accordance with regulations prescribed by the state board.~~

Section 7. Section 236.087, Florida Statutes, as created by chapter 73-345, Laws of Florida, is hereby repealed.

Section 8. Section 236.25, Florida Statutes, is amended to read:

(Substantial rewrite. See §236.25, Florida Statutes, for present text.)

236.25 District school tax.—

(1) Each school board desiring to participate in the state allocation of funds for current operation as prescribed by §236.081(1) and (2) and categorical programs as defined in §236.081(6), shall levy no more than eight (8) mills of tax on the non-exempt assessed valuation of the district exclusive of:

(a) Millage voted for bonded indebtedness under the provisions of section 9(b) of article VII of the Florida constitution, and

(b) Millage voted for local capital improvement as provided by section 12 of article VII of the Florida constitution.

(2) The department shall compute and certify to each school district the following:

(a) The value per weighted full-time equivalent student included in the 1973-74 Florida Education Finance Program by dividing each district's weighted full-time equivalent students into each district's sum of:

1. The 1973-74 state allocation for: current operation as provided in §236.081(6)(a) and (b), Florida Statutes, 1973, plus student transportation, as provided in §236.083(7), Florida Statutes, 1973; elementary school counselors, as provided in §236.086, Florida Statutes, 1973; occupational specialists, as provided in §236.085, Florida Statutes, 1973; tax loss resulting from the additional homestead exemptions, as provided in §196.031(4), Florida Statutes, 1973, providing however that for school districts whose cost of living factor assigned for the 1973-74 fiscal year was lower than the factor assigned for the 1974-75 fiscal year by this act, the district's calculation under this paragraph shall be based on a computation utilizing the latter and higher factor.

2. The calculated yield of the actual non-voted millage levied by the district during the 1973-74 fiscal year on ninety-five percent (95%) of the 1973 calendar year non-exempt assessed valuation of the district for school purposes, as determined pursuant to the provisions of chapter 74-14, Laws of Florida, and

(b) The amount of dollars available to support each weighted full-time equivalent student during 1974-75, by determining the aggregate dollars available to the district as calculated in section 236.081(7)(b) 4. divided by the weighted full-time equivalent student membership, and

(c) The percentage by which the amount calculated in (b) exceeds the amount calculated in (a).

(3) In any district in which the percentage computed in (c) is less than ten percent (10%), the board is authorized to increase the district school tax for operating purposes, not to exceed eight (8) mills, in order to provide additional local

tax receipts in an amount sufficient to increase the percentage determined in (c) not to exceed ten percent (10%); provided, however, additional taxes for school purposes are authorized to be certified by the school board when such additional taxes have been approved, prior to such certification, by a vote of the electors for the local capital improvement reserve fund, as authorized in §236.32. Provided further, in any district in which the percentage computed in (c) is ten percent (10%) or greater, the board shall not certify a district school tax for operating purposes that is higher than the millage required to produce the assigned district required effort.

(4) These taxes shall be certified, assessed, and collected as prescribed in §237.091 and shall be expended as provided by law.

(5) All levies and collections of ad valorem taxes made for the support of public schools prior to the effective date of this section are hereby approved, ratified and confirmed.

Section 9. Subsection (4) of §196.031, Florida Statutes, is repealed.

Section 10. Subsection (3) of §237.071, Florida Statutes, is amended to read:

(Substantial rewrite. See §237.071(3), Florida Statutes, for present text.)

237.071 School board to adopt tentative budget.—

(3) The proposed budget shall include an amount for local required effort for current operation, in accordance with the requirements of §236.081(5).

Section 11. Subsection (1) of §237.151, Florida Statutes, is amended to read:

237.151 Current loans authorized under certain conditions.—At any time the current school funds on hand are insufficient to pay obligations created by the school board of any district, in accordance with the official budget of the district, the school board is authorized to negotiate a current loan to pay these obligations, providing for the repayment of that loan from the proceeds of revenues reasonably to be anticipated during the fiscal year in which the loan is made as prescribed below; provided, that the school board shall, whenever possible, so arrange its expenditures as to make the incurring of current loans unnecessary; provided further, that when it is deemed necessary, for the benefit of the schools of the district, for a current loan to be negotiated, the school board shall arrange for a loan only in the amount actually needed and for the repayment of the loan at the earliest date practicable.

(1) CURRENT LOANS AGAINST DISTRICT FUND; AND DISTRICT INTEREST AND SINKING FUNDS.—The school boards of the several districts in the state are hereby authorized and empowered to borrow money, to be retired from the district tax receipts anticipated in the operating budget, and the debt service budget, at a rate of interest not to exceed ~~6 percent per annum~~ *the rate authorized in §236.63*, for the purpose of paying all outstanding obligations and for the further purpose of paying any and all lawful expenses incurred in operating the schools of said district; provided, however, that it shall be unlawful for any school board to borrow any sum of money in any one year in excess of 80 percent of the amount as estimated by them in the official budget for the current fiscal year for the district to be available from the district tax. The said sum so borrowed shall be paid in full before the school board shall be authorized to borrow money in any succeeding year.

Section 12. Subsection (5) of §237.161, Florida Statutes, is amended to read:

237.161 Obligations for a period of one year.—The school board of any district is authorized only under the following conditions to create obligations by way of anticipation of budgeted revenues accruing on a current basis without pledging the credit of the district or requiring future levy of taxes for certain purposes for a period of one year; provided, however, that such obligations may be extended from year to year with the consent of the lender for a period not to exceed four years:

(5) INTEREST-BEARING NOTES AUTHORIZED.—The school board of any district for which the department has authorized the incurring of the obligations as provided in this

section, shall issue interest-bearing notes for the obligations. The notes shall provide the terms of payment and shall not bear interest in excess of ~~six percent per annum~~ *the rate authorized in §236.68*. No additional obligations of a similar nature may be incurred against the funds of any school district when notes authorized under this subsection are still outstanding and unpaid when such proposed obligations together with the unpaid notes outstanding exceed one-fourth of the revenue of the preceding year, as defined in subsection (2) of this section.

Section 13. Subsection (3) of §237.34, Florida Statutes, as created by chapter 73-345, Laws of Florida, is amended to read:

(Substantial rewrite. See § 237.34 (3), F.S., for present text.)

237.34 Comprehensive information, accounting and reporting system.—

(3) COST REPORTING.—Each district shall report expenditures of all funds on a school-by-school and on an aggregate-district basis in accordance with standards provided by the department. Definitions of program categories and cost elements to be reported shall be prescribed by regulations of the state board and shall include the programs set forth in §236.081(1)(c), Florida Statutes. In the 1974-75 fiscal year each district shall report to the department of education the percent and dollar amount of current operating funds of the Florida education finance program exclusive of categorical program funds and funds expended in the manner prescribed by Section 236.081(4) as amended by this act, expended by program cost categories that generate the funds. By the 1975-76 fiscal year, seventy (70) percent of current operation funds of the Florida education finance program shall be expended by program cost categories in the district that generates the funds and the school shall report similar expenditures and percents for basic programs. By the 1976-77 fiscal year, eighty (80) percent of current operation funds of the Florida education finance program shall be expended by basic program cost categories in each school that generates the funds and by special program cost categories in the district that generates the funds. A district by district accounting shall be made for all categorical programs identified in §236.081(4), and such funds shall be expended for the costs of the identified programs in accordance with regulations of the state board. All districts, in cooperation with the department, shall plan mutually compatible programs for the refinement of cost data and improvement of the accounting and reporting system. The department shall report to the legislature sixty (60) days prior to the opening of the regular 1975 and 1976 sessions on the status of district programs and the state's own program for improvement of accounting and reporting of cost data on a statewide compatible basis. The report shall include the anticipated degree of implementation in the current fiscal year. The refinements and improvements identified in the district's plan and the state plan shall be accomplished by July 4, 1976. Each approved district plan and the state plan shall incorporate procedures or the alternatives considered for minimizing the number and complexity of reports from the school level.

Section 14. Subsection (3) of §232.255, Florida Statutes, as created by Chapter 73-345, Laws of Florida, is amended to read:

(Substantial rewrite. See §232.255, Florida Statutes, for present text.)

232.255 School safety fund.—

(3) ELIGIBILITY FOR FUNDING.—

(a) Each school district shall be eligible to receive an amount of school safety funds per year up to the sum available to such district produced by the following formula, based on full-time equivalent student membership during the preceding year:

1. For the first 30,000 full-time equivalent students: \$1.40 per student.
2. For the next 20,000 full-time equivalent students: \$1.80 per student.
3. For the next 15,000 full-time equivalent students: \$2.35 per student.
4. For all full-time equivalent students in excess of 65,000: \$4.00 per student.

(b) The provisions of paragraph (a) to the contrary notwithstanding, each school district shall receive a minimum of five thousand dollars (\$5,000). If there are additional funds appropriated each school district shall share in said additional funds in proportion to the amount its entitlement above set forth bears to the amount appropriated.

Section 15. Section 236.122, Florida Statutes, is created to read:

236.122 ALLOCATION FOR INSTRUCTIONAL MATERIALS.—The department is authorized to allocate and distribute to each district an amount as prescribed annually by the legislature for instructional material for use in grades K-12, exceptional education programs, and vocational education programs, which will provide for growth and maintenance needs. The annual allocation shall be determined as follows:

(1) The growth allocation for each school district shall be calculated by subtracting that district's projected full-time equivalent membership used in determining the appropriation for the Florida education finance program from the prior year full-time equivalent membership of that district and multiplying any increase in full-time equivalent membership by the average cost of a set of instructional materials as determined by the department, or as provided for in the general appropriations act. The amount thus determined shall be that district's total allocation for growth for the school year.

(2) The maintenance allocation for each school district shall be calculated by multiplying each district's prior year full-time equivalent membership by 20% of the average cost of a set of instructional materials as determined in (1) above. The amount thus determined shall be that district's total allocation for maintenance for the school year.

Section 16. Section 236.68, Florida Statutes, is created to read:

236.68 Determination of Annual Appropriations.—Whenever in this chapter a provision exists requiring the legislature to annually fix or prescribe an amount to be used in the allocation or distribution of funds, such amount may be fixed either by amendment to general law or through prescription within the annual appropriations act.

Section 17. Subsection (19) of section 228.041, Florida Statutes, is amended to read:

(Substantial rewording of section. See §228.041, F.S., for present text.)

228.041 Specific definitions.—Specific definitions shall be as follows and wherever such defined words or terms are used in the Florida School Code they shall be used as follows:

(19) Exceptional students.—The term "exceptional student" means any child or youth who has been certified by a specialist qualified under regulations of the state board to examine students who may be unsuited for enrollment in a regular class of the public schools or is unable to be adequately educated in the public schools without the provision of special classes, instruction, facilities or related services, or a combination thereof. The term "exceptional students" includes the following: the mentally retarded, the speech impaired, the deaf and hard of hearing, the blind and partially sighted, the crippled and other health impaired, the emotionally disturbed and socially maladjusted, those with specific learning disabilities, and may include the gifted.

Section 18. Implementation.—Each school board shall provide an appropriate program of special instruction for exceptional children; such programs shall be implemented in annual increments so that all exceptional children shall be served, provided however, that all severely and profoundly retarded children shall be served by 1975-76.

Section 19. Review of proposals.—Pursuant to regulations to be adopted by the state board of education, a school board may submit to the commissioner a proposal for a grant for programs for the severely and profoundly retarded. Upon the request of any school board the department shall provide such technical assistance to the school board as is necessary to develop and submit a proposed program for the severely and profoundly retarded. The department may use its own staff or such consultants as may be necessary to accomplish this purpose. The district school boards shall give priority to the programs serving the maximum number of persons within the

limits of resources available and to programs which will allow for matching funds or for joint funding from the federal government or other public or private sources.

Section 20. Section 231.602, Florida Statutes, is amended by adding a new subsection to read:

231.602 Definitions.—As used in this act:

(10) "Clinical preservice" means those aspects of teacher preparation which are more appropriately conducted in the field-based setting than in the campus setting.

Section 21. Subsection (2) of section 231.603, Florida Statutes, is amended to read:

231.603 Establishing teacher education centers.—

(2) The program of each teacher education center shall include, but not be limited to, the following:

- (a) To provide inservice teacher education.
- (b) To provide preservice teacher education.
- (c) To prepare and reproduce teacher training materials.
- (d) To develop and encourage community participation in educational programs.
- (e) To recommend programs through which provision is made for alternative routes to certification and completion of masters degrees.
- (a) To assess in-service training needs as perceived by classroom teachers, school district personnel, university personnel and other concerned agencies.
- (b) To develop programs based on those identified in-service needs.
- (c) To provide human and material resources for in-service training by whichever agents are best prepared to deliver them.
- (d) To assess needs and provide the resources and experiences for clinical preservice teacher training, thus relating theoretical and practical study.
- (e) To facilitate the entry or reentry of educational personnel into the teaching profession.

(f) To facilitate training processes which are based on assessment of needs, the development of experiences to meet those needs, and evaluation of the extent to which the needs were met.

(g) To facilitate internal and external evaluation which would include but not be limited to data gathering, process evaluation, product evaluation, and validation of teaching competency.

Section 22. Subsections (1) and (2) of section 231.604, Florida Statutes, are amended to read:

231.604 State Council.—The governor shall, within thirty days following the effective date of this act, appoint a State Council for Teacher Education Centers.

(1) MEMBERSHIP.—The council shall be composed of ~~twelve~~ fourteen members as follows:

- (a) ~~Six~~ Seven members shall be classroom teachers.
- (b) Two members shall be college or university teacher educators.
- (c) One member shall be a district school superintendent.
- (d) One member shall be a district school board member.
- (e) Two members shall be representatives of the state department of education.
- (f) One member shall be a school principal.

(2) TERMS OF APPOINTMENT.—The terms of appointment for each council member shall be three years and until his successor is appointed and qualified, except in the case of an appointment to fill a vacancy, in which case the appointment shall be for the unexpired term. However, the initial appointments shall be as follows: four members for one-year terms; ~~four~~ five members for two-year terms; and ~~four~~ five members

for three-year terms. No member shall be appointed for more than two terms and no member shall serve as chairman for more than two years.

Section 23. Paragraph (a) of subsection (1) of section 231.606, Florida Statutes, is amended to read:

231.606 Administration of local teacher education centers.—

(1) CENTER COUNCIL.—The local school board shall appoint the members of the council at the teacher education center.

(a) Membership.—The local school board, superintendent, classroom teachers, universities, community agencies, and other interested groups shall recommend the membership of a council at each center of not less than nine members, broadly representative of all groups, except that classroom teachers, certified to teach in kindergarten or grades one through twelve, who work 50% or more of their time at the school level other than those persons in administrative or supervisory positions, shall constitute a majority.

Section 24. Subsection (1) of section 231.608, Florida Statutes, is amended to read:

231.608 Evaluation.—

(1) Each teacher education center shall submit an annual report to the state council for teacher education centers. This report shall be based on the measurable objectives of the center proposal and shall include, but not be limited to, the following:

- (a) A description and evaluation of programs conducted under the supervision of the center.
- (b) The number of participants in center program activities.
- (c) A description and evaluation of methods of center operations.
- (d) A statement of center expenditures.

Section 25. Section 231.610, Florida Statutes, is amended by adding a new subsection (3) to read:

231.610 Noncredit Activities.—

(3) From the amount appropriated annually by the appropriations act to the general office of the board of regents the board shall allocate an amount in the manner indicated therein, to colleges of education in the state university system for the support of noncredit activities carried out in teacher education centers approved by the department of education which meet the criteria adopted specifically for this purpose by the state board of education pursuant to section 231.601(4) and 231.603, Florida Statutes. Funds referred to in this section shall not be spent for any activity other than the direct support of noncredit activities carried out under the direction of an approved teacher education center.

Section 26. Section 231.611, Florida Statutes, is created to read:

231.611 It is the intent of the legislature that the planning, development, and implementation of teacher education centers shall be carried out in an orderly systematic manner. State-wide implementation should be accomplished prior to June 30, 1979. The department of education is authorized to approve up to ten (10) centers during the 1974-75 fiscal year. The following procedure shall be used in determining which centers shall be approved:

(1) The department of education shall provide each school district and each university full information about teacher education centers and a copy of all requirements for establishing and operating centers.

(2) Each district and university wishing to jointly establish a center in 1974-75 shall submit a brief proposal to the department of education.

(3) The state council on teacher education centers shall review all proposals and recommend to the department of education the ten locations which in the opinion of the council will best meet the expectations of the teacher education center act; provided, however, that consideration shall be given to geographic location so as to have some center development in the several regions of the state.

(4) The department shall notify all school districts of the locations selected and request those selected to develop a detailed plan of operation for approval by the department of education in accordance with this act and regulations of the state board of education.

(5) The department of education is authorized to use up to \$20,000 per teacher education center from the educational research and development program to assist with start up and other developmental costs when such development is consistent with the research and development program.

Section 27. Section 236.0811, Florida Statutes, is created to read:

236.0811 In-service Educational Personnel Training.—Each school board shall develop and maintain a comprehensive in-service training program for all educational personnel. Such programs shall be funded through annual appropriations in the Florida education finance program to each school district at the rate of five dollars (\$5.00) per full-time equivalent student in each district or such other rate as may be established annually by the legislature. Funds appropriated to school districts pursuant to this section shall be used exclusively for in-service personnel training programs meeting criteria established by the department of education for in-service master plans. When a district has an approved teacher education center these funds and the in-service programs shall be conducted in accordance with the provisions of The Teacher Education Center Act of 1973 as amended.

Section 28. Legislative intent.—It is the intent of the legislature to make appropriate assessment and other related services available to all school children who experience learning problems due to a physical, mental, or emotional handicapping condition. It is further the intent of the legislature to encourage the availability of these services on a cooperative multidistrict basis.

Section 29. Special education support services in school districts.—The department of education, division of elementary and secondary education, is authorized to award grants to local school districts for the establishment or expansion of special education support services. The purposes of special education support services shall be:

(1) To assure the availability of a full range of education assessment, medical, psychological, social, and prescriptive instructional services and other related services through direct services or purchased services.

(2) To provide consultant services within a district or districts to parents, regular teachers, exceptional child teachers, principals and other school personnel and community organizations in providing instructional programs.

Section 30. Utilization of services.—The special education support service shall not duplicate but shall utilize and supplement services provided to children within a district or a region by state agencies and community organizations. Cooperating entities shall include but not be limited to the department of health and rehabilitative services and universities and community colleges. No funds shall be used for capital outlay construction.

Section 31. Declaration of intent.—The legislature finds that there are large numbers of children in the state who come from environments where the primary language is other than English, and that public school classes in which instruction is given only in English are often inadequate for the education of children whose dominant tongue is another language. The legislature further finds that bilingual education programs should meet the needs of these children by teaching them English while maintaining their educational development during the period they are learning English. Bilingual education programs should maintain and expand their command of their native language and the culture associated with it and develop their appreciation of the culture of the United States. Therefore, pursuant to the policy of the state to ensure equal education opportunity to every child, and in recognition of the educational needs of children who come from environments where the dominant language is other than English, it is the purpose of this act to provide for the establishment of bilingual education programs in the public schools. It is the further purpose of this act to assist school districts in developing and

expanding programs with the intent that they will become part of the regular district curricula financed through regular funding mechanisms.

Section 32. Census.—Each school board shall ascertain annually in a census, the number of children who come from environments where the dominant language is other than English, who are enrolled in the public schools, and who have less than standard English proficiency. In making such census, the school board shall seek the assistance and cooperation of any agencies, organizations or community groups, public or private, which might have information about such children. The department shall establish guidelines to insure uniformity of census reporting, and assist school districts in taking the census.

Section 33. Department of education responsibility.—Responsibility for the administration of the bilingual education program shall rest with the department of education, and the administration of the program shall be pursuant to rules and regulations adopted by the state board of education. In developing bilingual education programs, special emphasis should be given to the following:

(a) Assembling, developing, and distributing instructional materials for use in bilingual education.

(b) Developing programs for in-service and pre-service training in bilingual education. By October 1, 1974, the state board of education shall adopt regulations providing for the interim certification of teachers and other instructional personnel appropriate for the purposes of this act. In developing such interim certification standards special concern may be given to the recognition of foreign degrees. By January 1, 1976 the department of education should develop standard certification requirements for bilingual education teachers.

(c) Coordinating and assisting the efforts of private organizations and governmental agencies that are concerned with bilingual education.

Section 34. Review of proposals.—Pursuant to regulations to be adopted by the state board of education, each school board may submit to the commissioner a proposed program for a bilingual education grant. Priority will be given to those districts which are developing or expanding bilingual education programs. Upon the request of any school board the department shall provide such technical assistance to the school board as is necessary to develop and submit a proposed program in bilingual education. The department may use its own staff or such consultants as may be necessary to accomplish this purpose. The district school boards shall give priority to the programs serving the maximum number of persons within the limits of resources available and to programs which will allow for matching funds or for joint funding from the federal government or other public or private sources. The department of education shall use the following criteria in evaluating bilingual programs;

(1) A bilingual program may be a full or part time program of instruction;

(a) In the comprehension, speaking, reading and writing of the English language; and in the comprehension, speaking, reading and writing of the native language of the children who are enrolled in the program;

(b) In all subjects required by law or by the school district, which shall be given in the native language of the children who are enrolled in the program, and the English language;

(c) In the history and culture associated with the native language of the children who are enrolled in the program, with emphasis on the history and culture of the United States; and

(d) For a substantial number of English-speaking students, in the comprehension, speaking, reading and writing of the native language of the non-English-speaking children enrolled in the bilingual program.

(2) Priority will be given to those programs which include in-service training for teachers, para-professionals and school administrators.

(3) A bilingual education program may include the development of teaching materials and tests.

Section 35. Grants.—The commissioner shall review and approve, disapprove, or resubmit to the school board for modi-

fication all proposed programs submitted. For those programs approved, the commissioner shall authorize distribution of a bilingual education program grant.

Section 36. Section 236.0841, Florida Statutes, is created to read:

Section 236.0841 Student enrichment and remedial programs.—Each school district may provide any amount from current operation funds of the Florida education finance program for salaries of personnel who are employed, pursuant to regulations of the state board, to provide supplementary enrichment and remedial activities. The enrichment and remedial activities shall be provided students during periods of time supplemental to or beyond the required one hundred eighty days (180) of instruction.

Section 37. There is hereby appropriated from general revenue funds for the purpose of carrying out this act the following amounts which shall be added to and become a part of the appropriation to the department of education in the general appropriations act:

- (1) Lump Sum: For the purpose of administering the special education support services for exceptional children\$ 60,000
- (2) Grants and Aids:
- (a) Special education support services for exceptional children\$2,860,000
- (b) Programs for the severely and profoundly retarded\$ 635,000
- (c) Bilingual education program\$1,400,000

Section 38. To assist the legislature in determination of district cost differentials required by Section 236.081 (3), Florida Statutes, there is hereby appropriated to the department of administration \$454,500 from the general revenue fund to conduct a price level differential study. The department of administration is authorized to employ not more than seven (7) additional positions for the purpose of carrying out this section.

Section 39. This act shall take effect July 1, 1974.

On motion by Senator Barron, it was agreed by two-thirds vote that when the Senate adjourned, it adjourn to reconvene at 8:30 a.m., May 31, 1974.

On motion by Senator Barron, the rules were waived and time of adjournment was extended until final action on CS for HB 3692.

Senator Graham moved the following title amendment which was adopted:

Amendment 2—On page 1, line 4, strike the entire title beginning on line 4 and insert: An act relating to Florida public school finance; amending §236.013(3) and creating a new §236.013(14), Florida Statutes, defining the scope of the Florida education finance program and revising the definition of a full-time equivalent student; amending §236.02(6), Florida Statutes, providing a procedure for determining the minimum required local effort; amending §236.081(1) (b) and (c), (2), (3), (4), (5), (6), and (7), Florida Statutes, fixing the base student cost for 1974-75, expanding a special program for deaf students, amending the compensatory education supplemental program, deleting the provision for supplemental ad valorem tax equalization, adjusting the district cost differential factors, providing a procedure for computing district required local effort, providing additional categorical programs, providing for proration of current operation funds, providing a guaranteed minimum level of funding for 1974-75, and providing a limitation on exceptional child and vocational full time equivalent membership, eligible for special funding; renumbering and amending §236.083(2) and (7), Florida Statutes, providing a limitation on computation of transported miles and providing for proration of transportation funds; amending §236.085, Florida Statutes, expanding scope of the occupational specialist program; amending §236.086, Florida Statutes, revising the method of computation of elementary counselor funds; repealing §236.087, Florida Statutes, relating to the procedure for computing the total state allocation to each district; amending §236.25,

Florida Statutes, relating to the district school tax, and providing a limit on authorized district millage levies; amending §237.071(3), Florida Statutes; providing for budgeting of required local effort; amending §§237.151(1) and 237.161(5), Florida Statutes; increasing authorized interest rates on loans to district school boards; amending §237.34(3), Florida Statutes, revising the requirement that ninety per cent (90%) of funds be expended at the program and school where generated; amending §232.255(3), Florida Statutes, providing a method for computing school safety funds; repealing §196.031(4) Florida Statutes, relating to the allocation for tax loss resulting from additional homestead exemptions; creating §236.122, Florida Statutes, establishing an allocation for instructional materials; creating §236.68, Florida Statutes, providing a method for fixing amounts for allocation of funds; amending §228.041(19), Florida Statutes, relating to the definition of exceptional students; providing for implementation of programs for exceptional children, including severely and profoundly retarded children; amending §§231.602, 231.603(2), 231.604(1) and (2), 231.606(1) (a), 231.608(1), Florida Statutes, and creating §§231.610(3), 231.611 and 236.0811, Florida Statutes, all amending the Teacher Education Center Act including funding of inservice personnel training; declaring legislative intent; establishing a program of special education support services; establishing a program for bilingual education; creating §236.0841, Florida Statutes, providing authorization for enrichment and remedial programs; providing appropriations; providing an effective date.

Senators Sims and Childers offered the following amendment which was moved by Senator Sims and failed:

Amendment 3—On page 44, line 29, insert: New Section 39: Provided, however, that no funds authorized in this bill shall be used for the purpose of busing any school children beyond the second closest school to their place of residence. Renumber.

Senator Ware moved the following amendment:

Amendment 4—On page 41, strike all of lines 15, 16 and 17

Senator Saunders moved the following substitute amendment which failed:

Amendment 5—On page 41, strike lines 12—17

The question recurred on Amendment 4 which was withdrawn.

On motion by Senator Graham, by two-thirds vote CS for HB 3692 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Gordon	McClain	Trask
Barron	Graham	Myers	Vogt
Brantley	Gruber	Pettigrew	Williams
de la Parte	Johnston	Poston	Wilson
Firestone	Lane (31st)	Saunders	Winn
Gillespie	Lane (23rd)	Smathers	Zinkil
Glisson	Lewis	Sykes	

Nays—7

Childers	Gallen	Sims	Weber
Deeb	Sayler	Ware	

Senator Graham moved that the Senate reconsider the vote by which HB 1814 passed this day. The motion was adopted by the following vote:

Yeas—19

Brantley	Glisson	Lewis	Saunders
Childers	Gordon	McClain	Smathers
de la Parte	Graham	Myers	Williams
Firestone	Gruber	Pettigrew	Winn
Gillespie	Lane (23rd)	Poston	

Nays—13

Barron	Sims	Vogt	Zinkil
Deeb	Stolzenburg	Ware	
Johnston	Sykes	Weber	
Saylor	Trask	Wilson	

By unanimous consent Senator Firestone changed his vote from yea to nay.

On motion by Senator Childers, HB 629 was withdrawn from the Committee on Transportation by two-thirds vote and placed on the calendar.

On motion by Senator Williams, HB 3975 was withdrawn from the Committee on Governmental Operations by two-thirds vote and placed on the calendar.

On motion by Senator Poston, HB 3962 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 274 with 1 amendment	SB 462 with 1 amendment
SB 1121 with 1 amendment	SB 81 with 2 amendments
SB 1122 with 1 amendment	SB 1115 with 1 amendment
SB 1123 with 1 amendment	SB 1116 with 2 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

JOE BROWN, Secretary

The bills were certified to the House.

The Journal of May 29 was corrected and approved as follows:

Page 674, counting from the bottom of column 1, between lines 29 and 30 insert:

By Representative Martinez—

HB 3020—A bill to be entitled An act relating to the Florida retirement system; amending §2(1)(b) and (c), (5)(a) and (6)(a), chapter 72-345, Laws of Florida, as amended by chapter 72-359, Laws of Florida, appearing as §121.052(1)(b) and (c), (5)(a) and (6)(a), Florida Statutes, 1972 Supplement; providing for participation by county court judges in the elected state officers class of the Florida retirement system; providing an effective date.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 7:08 p.m. to convene at 8:30 a.m., May 31, 1974.